

RESOLUTIONS AND LEGAL NOTICES OF HEARING LISTED ON THE PRELIMINARY AGENDA ARE AVAILABLE AT THE TOWN CLERK'S OFFICE ONE DAY PRIOR TO THE TOWN BOARD MEETING.

IF YOU ATTEND THE TOWN BOARD MEETING AND WISH TO READ ANY LEGAL NOTICE OF PUBLIC HEARING OR RESOLUTION SCHEDULED, PLEASE SEE THE WHITE BINDER LOCATED ON THE TABLE TO THE RIGHT OF THE DAIS NEXT TO THE TOWN CLERK. IF YOU HAVE ANY FURTHER QUESTIONS PLEASE SEE TOWN CLERK JO-ANN RAIA.

PRELIMINARY/ADOPTED AGENDA AND ADOPTED RESOLUTIONS ARE AVAILABLE AT:
<http://town.huntington.ny.us>

PRESENT:

Supervisor	Frank P. Petrone
Councilwoman	Susan A. Berland
Councilman	Mark A. Cuthbertson
Councilwoman	Glenda A. Jackson
Councilman	Mark Mayoka
Town Clerk	Jo-Ann Raia
Town Attorney	John J. Leo

AGENDA FOR TOWN BOARD MEETING DATED NOVEMBER 9, 2011

BOARD OF TRUSTEES' MEETING FOLLOWING

Opened: 8:19 P.M. Recessed: 8:20 P.M. Resumed: 9:31 P.M. Closed: 9:32 P.M.

COMMUNITY DEVELOPMENT AGENCY MEETING FOLLOWING

Opened: 8:20 P.M. Closed: 8:24 P.M.

7:00P.M. – TOWN HALL

Opened: 7:17 P.M. Recessed: 8:19 P.M. Resumed: 8:24 P.M. Closed: 9:31 P.M.

(Resolutions #2011-497 to 2011-536)

HEARINGS:

ACTION

HEARING RESCHEDULED FROM AUGUST 2, 2011

1. Consider issuing a Certificate of Approval in an Historic District
Re: 35 Spring Street, Cold Spring Harbor - Cold Spring Harbor
Historic District.

(Applicant: Marceline Van Cott)
(SCTM # 0400-063.000-02.00-008.000)
(2011-ZC-6-Ch. 198)

HEARING INVALID
AFFIDAVIT OF SERVICE
NOT RECEIVED

2. Consider issuing a Certificate of Approval for an individually
designated Historic Site. Re: 117 West Shore Road, Huntington -
The Daniel Smith House.

(Applicant: John and Catherine Collins)
(SCTM # 0400-026.00-02.00-059.003)
(2011-ZC-8-Ch. 198)

HEARING INVALID
AFFIDAVIT OF SERVICE
NOT RECEIVED

HEARINGS (Continued):

ACTION

3. Consider issuing a Certificate of Approval in an Historic District.

Re: 478 Park Avenue, Huntington.

(Applicant: Sunny Pond, LLC)

(SCTM # 0400-073.00-03.00-021.000)

(2011-ZC-9-Ch. 198)

DECISION RESERVED

4. Consider awarding a license agreement for a transit advertising and marketing program for the Town of Huntington.

((Re: Creative Advertising Concepts, Inc.)

(2011-M-34)

DECISION RESERVED

5. Consider acquiring Williams Property with Suffolk County and North Shore Land Alliance. **(Re: DeForest-Williams Estate)**

(SCTM # 0400-016-02-013.004)

(2011-M-35)

DECISION RESERVED

6. Consider adopting Local Law Introductory No. 24-2011, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article XI (Conditional Uses; Supplementary Regulations).

(Local Law Introductory No. 24-2011)

DECISION RESERVED

7. Consider adopting Local Law Introductory No. 25-2011, amending the Code of the Town of Huntington, Chapter 114 (Fire Prevention and Safety Education).

(Local Law Introductory No. 25-2011)

DECISION RESERVED

8. Consider adopting Local Law Introductory No. 26-2011, amending the Code of the Town of Huntington, Chapter 111 (Fire Prevention).

(Local Law Introductory No. 26-2011)

DECISION RESERVED

9. Consider adopting Local Law Introductory No. 27-2011, amending the Code of the Town of Huntington, Chapter 157 (Public Benefit Incentives), to implement the Long Island Unified Solar Energy System Fast Track Permit Process.

(Local Law Introductory No. 27-2011)

DECISION RESERVED

10. Consider adopting Local Law Introductory No. 28-2011, amending the Code of the Town of Huntington, Chapter 87 (Building Construction), Article VIII (General Restrictions and Requirements).

(Local Law Introductory No. 28-2011)

DECISION RESERVED

HEARINGS (Continued):

ACTION

BOARD OF TRUSTEES' HEARING:

1. Consider the execution of a license agreement with the Cold Spring Harbor Seafarers, Inc. for Trustee Property in Cold Spring Harbor.

(SCTM # 0400-064-01-001)

(2011-BT-23)

DECISION RESERVED

COMMUNITY DEVELOPMENT AGENCY HEARING:

1. Obtain the views of citizens, public agencies and other interested parties on the housing and community needs of the Town of Huntington in preparation for applying for the 2012 Community Development Block Grant.

HEARING CONCLUDED

**AGENDA FOR TOWN BOARD
MEETING DATED: NOVEMBER 9, 2011**

RESOLUTIONS:

OFF. SEC. VOTE

ABBREVIATIONS FOR PURPOSE OF AGENDA:

Supervisor Frank P. Petrone - **FP**
Councilwoman Susan A. Berland - **SB**
Councilman Mark A. Cuthbertson - **MC**
Councilwoman Glenda A. Jackson - **GJ**
Councilman Mark Mayoka - **MM**

2011-497.	AUTHORIZE the Supervisor to execute an agreement with Huntington Hospital to participate in a Heartstart Public Access Defibrillation Program. (Period: Two years)	FP <u>GJ</u>	SB <u>MM</u>	<u>5</u>
2011-498.	AUTHORIZE the Supervisor to execute an agreement with the Town of Huntington Economic Development Corporation to accept grant funds. (Period: 11/10/2011 –11/10/2012) (Re: Public art planning and design for Huntington Station Plaza)	FP <u>GJ</u>	<u>MM</u>	<u>5</u>
2011-499.	AUTHORIZE the Supervisor to execute a requirements contract with Phil Bauccio Consultants & Associates to provide Risk Management Consulting Services. (Term: One year)	<u>FP</u>	<u>SB</u>	<u>5</u>
2011-500.	AUTHORIZE the Supervisor to execute a contract for the Town of Huntington Automated Vehicle Location and Monitoring (AVLM) with Vehicle Tracking Solutions LLC (VTS). (Period: Three years)	<u>MC</u>	<u>SB</u>	<u>5</u>
2011-501.	AUTHORIZE the Supervisor to execute an amendment to the agreement with MacKenzie Automatic Doors, Inc. to include maintenance and repair of automatic doors at the Dix Hills Ice Rink. (Term: 1/1/2012 - 12/31/2012)	<u>SB</u>	<u>MM</u>	<u>5</u>
2011-502.	AUTHORIZE the Supervisor to execute an extension to the requirements contract for Refuse Removal Services 4 cubic yard, 6 cubic yard, 8 cubic yard containers with Jamaica Ash & Rubbish Removal Co., Inc. (Term: One year)	MC <u>SB</u>	<u>GJ</u>	<u>5</u>
2011-503.	AUTHORIZE the Supervisor to execute a contract for the landfill, gas monitoring and related engineering services at the Town of Huntington East Northport Landfill with R & C Formation Ltd. (Term: One year)	<u>MC</u>	<u>MM</u>	<u>5</u>
2011-504.	AUTHORIZE the Supervisor to execute an extension to the franchise agreement with Mad Science of Long Island for science camps and programs for the Town of Huntington Department of Parks and Recreation. (Term: One year)	SB <u>GJ</u>	<u>FP</u>	<u>5</u>
2011-505.	AUTHORIZE the Supervisor to execute an extension to the franchise agreement with United Soccer Academy, Inc. for the youth sports programs at various Town Parks. (Term: 1/1/2012-12/31/2012)	MM <u>GJ</u>	<u>SB</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: NOVEMBER 9, 2011**

RESOLUTIONS:	OFF.	SEC.	VOTE
2011-506. AUTHORIZE the Supervisor to execute a requirements contract for the processing, recycling, marketing and disposal of residential post consumer electronics with We Recycle! LLC. (Period: Two years)	<u>FP</u>	<u>MC</u> <u>SB</u>	<u>5</u>
2011-507. AUTHORIZE the Supervisor to execute a requirements contract for soil boring and soil testing with Soil Mechanics Drilling Corp. (Term: One year)	<u>SB</u>	<u>GJ</u>	<u>5</u>
2011-508. AUTHORIZE the Supervisor to execute an agreement with State University of New York at Stony Brook, New York in the School of Social Welfare for the provision of assistance to the senior population through a social work internship program. (Term: One year)	<u>FP</u> <u>SB</u>	<u>GJ</u>	<u>5</u>
2011-509. AUTHORIZE the execution of a contract with H2M Group for professional engineering services for preparation of plans and specifications and, for provision of construction administration and observation services for the conversion of Well No. 1-3 to Vertical Deep Well Turbine – Dix Hills Water District.	<u>SB</u>	<u>MM</u>	<u>5</u>
2011-510. AUTHORIZE the execution of a contract with H2M Group for professional engineering services for preparation of plans and specifications and, for provision of construction administration and observation services for the rehabilitation of Well No. 6-1 – Dix Hills Water District.	<u>SB</u>	<u>GJ</u>	<u>5</u>
2011-511. AUTHORIZE the issuance of a permit to extend Newsday’s “Holiday Lights Festival” charitable fund raising event during the month of December 2011 to be held at 235 Pinelawn Road, Melville, NY. (Re: 12/1, 12/8, 12/15, 12/22, 12/29/2011 from 6:00 PM – 10:00 PM; 12/2, 12/9, 12/16, 12/23, 12/30/2011 from 6:00 PM – 11:00 PM; 12/3, 12/10, 12/17/2011 from 5:00 PM – 10:00 PM)	<u>FP</u> <u>GJ</u>	<u>SB</u>	<u>5</u>
2011-512. AUTHORIZE the Comptroller to appropriate funds from the Workers’ Compensation Reserve for the purpose of funding Claims-Department of Audit and Control.	<u>MC</u>	<u>FP</u>	<u>5</u>
2011-513. AUTHORIZE the Comptroller to amend the 2011 Capital Budget for Drainage Mitigation for the Town of Huntington Highway Office. (Re: Harbor Knolls/Harbor Heights Communities in Huntington)	<u>FP</u> <u>SB</u> <u>MM</u>	<u>MC</u> <u>GJ</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: NOVEMBER 9, 2011**

RESOLUTIONS:

OFF. SEC. VOTE

2011-514. AUTHORIZE the correction of Code Violations at various locations pursuant to the Code of the Town of Huntington and/or the Uniform Codes of the State of New York. (Re: Carll Cemetery, Deer Park Road, Dix Hills, SCTM # 0400-247.00-03.00-032.000, Chapter 119; 110 Prime, Inc., 161 New York Avenue, Huntington, SCTM # 0400-071.00-02.00-084.000, Chapter 119; Mt. Calvary of Huntington Ministries, Inc. c/o Bishop Frank Mixon, Academy Place, Huntington Station, SCTM # 0400-099.00-04.00-016.000, Chapter 133; Michael Halleran/Kevin & Dawn McCleary, 16 Altamore Street, Melville, SCTM# 0400-259.00-02.00-006.000, Chapters 133, 156; Tanisha Goodman, 52 Craven Street, Huntington Station, SCTM # 0400-136.00-04.00-001.000, Chapters 133, 156, 198; Laurie Kurte, 52 Henry Street, Huntington Station, SCTM # 0400-099.00-04.00-059.000, Chapters 133, 156; Chi Chow, 312 Oakwood Road, Huntington Station, SCTM # 0400-138.00-02.00-083.000, Chapters 133, 156; Jonathan/Jacqueline Scott, 1 Lemington Court, Northport, SCTM # 0400-003.00-02.00-002.000, Chapters 133, 156; Cynthia Cubero, 33 Keeler Street, Huntington, SCTM # 0400-206.00-03.00-071.000, Chapter 156 Sections 13 & 45; Paul Punzone, 1 Cabriolet Lane, Melville, SCTM # 0400-259.00-02.00-006.000, Chapter 156; 110 Prime, Inc., 161 New York Avenue, Huntington, SCTM # 0400-071.00-02.00-084.000)

SB **MC** **5**

2011-515. ADOPT the Annual Operating Budget for Fiscal Year commencing January 1, 2012.

RESOLUTION DEFEATED
2-AYES
(FP)
(MC)
3-NOES
(GJ)
(SB)
(MM)

MC **FP** **(MM)**

2011-516. ADOPT the Capital Budget for Fiscal Year Commencing January 1, 2012.

4-AYES
1-NO
(MM)

MC **FP** **(MM)**

2011-517. ACCEPT sponsorship from Bethpage Federal Credit Union for Town of Huntington "Skate Swap" at Dix Hills Ice Rink, nunc pro tunc. (Re: October 22, 2011)

SB **FP** **5**

2011-518. APPOINT a Member to the Public Art Advisory Committee. (Re: Michele Peppers term to expire 9/10/2012)

FP **SB** **5**

2011-519. APPOINT Volunteer Park Stewards.(Re: Alison Krivoshey, Ellen Melore, Elizabeth Davidson and Agapi Bell)

SB **GJ** **5**

2011-520. ENDORSE North Shore Land Alliance application to the New York State Environmental Protection Fund to support acquisition of Williams Property (Cold Spring Harbor). (Re: 6 Shore Road – Estate of Priscilla DeForest Williams and Doug Williams) (SCTM # 0400-016-02-013.004)

MM
GJ
SB **FP** **5**

**AGENDA FOR TOWN BOARD
MEETING DATED: NOVEMBER 9, 2011**

RESOLUTIONS:	OFF.	SEC.	VOTE
2011-521. SCHEDULE regular meetings of the Town Board of the Town of Huntington for the Year 2012.	<u>FP</u>	<u>SB</u>	<u>5</u>
2011-522. WAIVE Parking Meter Fees in the downtown shopping area known as Huntington Village and authorizing the installation of holiday type lights and decorations during the holiday season in various areas. (Re: Huntington Village (as defined in the Business Improvement District) waive parking meter fees 11/25/11 – 12/31/11; Huntington Township Chamber of Commerce and Huntington Village Business Improvement District Association, the Huntington Station Business Improvement District Association and the East Northport Chamber of Commerce to install and maintain holiday type lights 11/25/11-12/31/11 and East Northport Chamber of Commerce to place a Menorah and Nativity Scene on Town property located at the Northport Railroad Station 11/25/11 –12/31/11)	<u>FP</u> <u>MM</u>	<u>GJ</u> <u>SB</u>	<u>5</u>
2011-523. ENACTMENT: ADOPT the Assessment Roll for the Huntington Sewer District.	<u>MC</u>	<u>FP</u>	4-AYES 1-NO <u>(MM)</u>
2011-524. ENACTMENT: ADOPT the Assessment Roll for the Centerport Sewer District.	<u>FP</u>	<u>MC</u>	4-AYES 1-NO <u>(MM)</u>
2011-525. ENACTMENT: AMEND the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Greenland Drive, Huntington Station, No Standing Restriction.	<u>GJ</u>	<u>MC</u>	<u>5</u>
2011-526. ENACTMENT: ADOPT Local Law Introductory Number 22-2011 amending the Code of the Town of Huntington Chapter 87 (Building Construction), Article III (Building Permits), Article IV (Certificates of Occupancy and of Permitted Use), and Article VI (Administration and Enforcement).	<u>MC</u>	<u>MM</u>	<u>5</u>
2011-527. ENACTMENT: ADOPT Local Law Introductory Number 23-2011 amending the Code of the Town of Huntington Chapter 198 (Zoning), Article I (General Provisions) and Article XVIII (Administration and Enforcement).	<u>SB</u>	<u>MC</u>	<u>5</u>
2011-528. SCHEDULE A PUBLIC HEARING: December 13, 2011 at 7:00 PM To consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article II, §2-3, Schedule C. Re: Fifth Avenue, East Northport, Driveway – Prohibited Turns.	<u>MC</u>	<u>MM</u> <u>GJ</u>	<u>5</u>
2011-529. AUTHORIZE the Supervisor to enter into a temporary occupancy agreement with HASA Construction LLC. (Re: Use of Town land, former Naval Reserve located at Creek Road and Mill Dam Road/NYS Contract #D261568 with HASA Construction LLC).	<u>FP</u>	<u>GJ</u> <u>SB</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: NOVEMBER 9, 2011**

RESOLUTIONS:	OFF.	SEC.	VOTE
2011-530. SCHEDULE A PUBLIC HEARING: December 13, 2011 at 7:00 PM To consider authorizing the Supervisor to enter into a license agreement with HASA Construction LLC. (Re: Former Naval Reserve, Creek Road and Mill Dam Road)	<u>FP</u>	<u>SB GJ</u>	<u>5</u>
2011-531. SCHEDULE A PUBLIC HEARING: December 13, 2011 at 7:00 PM To consider adopting Local Law Introductory Number 29 - 2011 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article VI (Historic Landmarks and Districts), Section 42 (Designation of Sites and Buildings), to revoke the designation as an historic landmark of the building and property known as the Bunce-Zoeller House, 129 Centershore Road, Centerport. (SCTM # 0400-039-06-080.002)	<u>MC</u>	<u>FP</u>	<u>5</u>
2011-532. SCHEDULE A PUBLIC HEARING: December 13, 2011 at 7:00 PM To consider adopting Local Law Introductory Number 30 - 2011 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article VI (Historic Landmarks and Districts), §198-42 (Designation of Sites and Buildings), to designate as an Historic Landmark the Building and property known as the Old Half Hollow Schoolhouse, 5 Seaman Neck Road, Dix Hills. (SCTM # 0400-275-02-143)	<u>SB</u>	<u>FP GJ</u>	<u>5</u>
2011-533. SCHEDULE A PUBLIC HEARING: December 13, 2011 at 7:00 PM To consider adopting Local Law Introductory Number 31 - 2011, considering Zone Change Application #2011-ZM-387, known as the Residences at Oheka Castle, to change the Zoning from R-80, R-40, R-20 & R-10 Residence Districts and C-6 General Business District to R-OSC Residence – Open Space Cluster District for the property located on the west side of East Gate Drive, North of Colonial Drive, West Hills, SCTM #0400-188-01-(001, 002,003,004,005,021.001, 023.001, 024.001, 024.002, 025.001, 057.001, 109 & 126) and 0400-132-04-(007,008 &009).	<u>FP</u> <u>MC</u>	<u>MM</u> <u>SB</u>	<u>4-AYES 1-NO</u> <u>(GJ)</u>
2011-534. SCHEDULE A PUBLIC HEARING: December 13, 2011 at 7:00 PM To consider adopting Local law Introductory No. 32 – 2011 amending the Code of the Town of Huntington, Chapter 164 (Sewer Use Management), Article II (Disposal Regulations).	<u>MC</u>	<u>MM</u>	<u>5</u>
2011-535. SCHEDULE A PUBLIC HEARING: December 13, 2011 at 7:00 PM To consider adopting Local Law Introductory Number 33 – 2011 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article IV (Commercial Districts), Section 198-22 (C-1 Office-Residence District).	<u>FP</u>	<u>GJ</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: NOVEMBER 9, 2011**

RESOLUTIONS:

OFF. SEC. VOTE

MOTION TO AMEND RESOLUTION # 2011-536

SB FP 5

- 2011-536. SCHEDULE A PUBLIC HEARING: December 13, 2011 at 7:00 PM**
To consider adopting Local Law Introductory Number 34 – 2011,
amending Town Board Resolution No. 1994-260 so as to revoke all of the
covenants and restrictions previously recorded as part of the Zone Change
Application # 93-ZM-268 of West Neck Associates, LLC, and
reestablishing covenants and restrictions for property located on the
northwest corner of West Neck Road and Nathan Hale Drive, Huntington,
SCTM # 0400-070-01-021.

**FP MC
GJ 5**

AGENDA FOR BOARD OF TRUSTEES'
MEETING DATED: NOVEMBER 9, 2011

RESOLUTIONS:	OFF.	SEC.	VOTE
2011-BT24. ENACTMENT: APPROVE the issuance of a Special Use Permit under Chapter 137 (Marine Conservation) Applicant: Edward A.T. Carr on behalf of Eaton Harbors Corp. Location: South End of Beach Rd., Eaton's Neck, N.Y. 11768 S.C.T.M.#0400-005.00-05.00-002.000.	<u>FP</u>	<u>GJ</u>	<u>5</u>
2011-BT25. SCHEDULE A PUBLIC HEARING: December 13, 2011 at 7:00 PM To consider the issuance of a Special Use Permit under Chapter 137 (Marine Conservation) Applicant: Donna Myers Location: 32 Hawkins Dr., Northport S.C.T. M. #0404-001.00-01.00-012.000. (Re: Randall and Antoinette Lico)	<u>MC</u>	<u>FP</u> <u>MM</u>	<u>5</u>
2011-BT26. SCHEDULE A PUBLIC HEARING: December 13, 2011 at 7:00 PM To execute a license agreement for the use of Town land as is necessary to maintain and operate a yacht club with dock assemblage at the premises known as the Ketewomoke Yacht Club, Halesite, New York. (SCTM # 0400-031-01-002.003)	<u>SB</u> <u>MM</u>	<u>FP</u> <u>GJ</u>	<u>5</u>

AGENDA FOR COMMUNITY DEVELOPMENT AGENCY
MEETING DATED: NOVEMBER 9, 2011

RESOLUTIONS:

OFF. SEC. VOTE

2011-CD .

NO resolutions

**INFORMATIONAL SHEET FOR TOWN BOARD MEETING
DATED: NOVEMBER 9, 2011**

COMMUNICATION

ACTION

1. Letters received Certified Mail – Applying for Liquor Licenses:
From: Dean Cirella for Cirella's on Fifth Inc (Walt Whitman Mall);
From: Michael Heinlein for Corp to be formed (24 Clinton Avenue, Huntington);

Supervisor
Town Board
Town Attorney
Public Safety
Fire Inspector
Engineering Services
Planning & Environment
cc: Sewage Treatment Facility
2. Letters received Certified Mail – Renewal for Liquor Licenses:
From: Dean Cirella for Cirella's Restaurant; From: Liying Qiao for Hikudo Asian Bistro and Sushi; From: Jeffrey Egan for Changing Time Ale House (East Northport); From: Gail Grasso for Trattoria Grasso Due; From: Anthony Lubrano for Piccola Bussola Ristorante; From:; Albert Slaese for Juniors Pizza;

Supervisor
Town Board
Town Attorney
Public Safety
Fire Inspector
Engineering Services
Planning & Environment
cc: Sewage Treatment Facility
3. Three memoranda received from Lynn Pincomb, Village Administrator for Huntington Bay regarding a Zoning Board of Appeals Public Hearing to be held on October 20, 2011 re: A) 25 Sydney Road – located in Waterfront Preservation District C1, pending sub-division approval, in order to construct additions and alterations to an existing garage and chauffeur's cottage on Lot, various variances required; B) 24 Bay Crest- located in Waterfront Preservation District C1, demolish an existing dwelling and construct a new dwelling in its place, legalize existing block walls and steps, various variances required; C) 146 East Shore Road - located in Waterfront Preservation District C1, to construct a kitchen addition and to enlarge a patio, various variances required.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
4. Letter received from William Nimmo, Assistant Superintendent for Business, for the Harborfields Central School District, with a copy of the 2011-12 School Budget.

Supervisor
Town Board
Town Attorney
cc: Comptroller
5. Letter received from Vincent Puleo, Town Clerk of Smithtown regarding an amendment to the Zoning Code of Smithtown that was adopted by the Town Board on October 4, 2011, #2011-02 Site Tech Wireless, LLC-Special exception for a wireless communications antennas and related equipment.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
6. Numerous emails received regarding funding cuts to Walt Whitman Birthplace Museum, Huntington Historical Society, Whaling Museum, and Huntington Cultural and Arts Organizations. The writers would like the funds restored. Emails received from: Catherine/Kenneth Robinson, Francesca Read, Faye Fortunato, Mark Elber, Lucie Blohm, Daniela Gioseffi, Allan Rubin, M.D., Yolanda Coulaz, Rachelle Chambers, Alison Simmons, Russell Perry, Kerriann/Karl Brosky, Barbara Kent, Maxwell Corydon Wheat, Jr., Peter Flink, Mike Liese and Eileen/Manuel Darwin.

Supervisor
Town Board
Town Attorney
cc: John Coraor, Ph.D.

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| <p>7. Kerri O'Brien, Deputy Commissioner for the New York State Liquor Authority, sent a Notice of Public Hearing to be held on November 1, 2011 at 11:00 AM at 317 Lenox Avenue, New York, NY – 4th Floor regarding 56 Stewart Inc. d/b/a as Bin 56. The Public Hearing is being held because the proposed premises is located within a 500 foot radius of at least 3 other licensed and operating on-premises liquor establishments.</p> | <p>Supervisor
Town Board
Town Attorney
Public Safety
Fire Inspector
Engineering Services
Planning & Environment
<u>cc: Sewage Treatment Facility</u></p> |
| <p>8. Letter received from Nancy McFadzen, Secretary for the Commack Fire District, including a original certification of budget, 2012 final budget and a copy of the resolution approving same for the Commack Fire District, Town of Huntington and Extension District #1, Town of Smithtown for the year 2012.</p> | <p>Supervisor
Town Board
Town Attorney
<u>cc: Comptroller</u></p> |
| <p>9. Letter received from C. Maureen Tomasulo-Mathews, Executive Board Member of the Cold Spring Hills Civic Association, regarding the outage of street lights on Colonial Drive in this area.</p> | <p>Supervisor
Town Board
Town Attorney
<u>cc: Traffic & Transportation</u></p> |
| <p>10. Email received from Peter Dennin requesting the Town Board members support Joe Celano receiving an extension to the lease at La Casa Cafe at Crab Meadow Beach. The writer is also concerned about fisherman parking without Town of Huntington permits and also fishing in areas that are off limits.</p> | <p>Supervisor
Town Board
Town Attorney
Public Safety
Maritime Services
<u>cc: Parks & Recreation</u></p> |
| <p>11. Copy of the 2012 budget for Greenlawn Fire District was hand delivered by Louise Caputo, Secretary/Treasurer. Included was the budget and certifications.</p> | <p>Supervisor
Town Board
Town Attorney
<u>cc: Comptroller</u></p> |
| <p>12. Letter received from Sarah Lansdale, A.I.C.P., Director of Suffolk County Department of Planning regarding a Public Notice to be posted in the Town Clerk's Office, concerning the 2012 Lease Application Cycle under the Suffolk County Shellfish Aquaculture Lease Program in Peconic Bay and Gardiners Bay.</p> | <p><u>cc: Maritime Service</u></p> |
| <p>13. Letter received from Leigh Ann Varese, District Secretary-Treasurer for the Centerport Fire District, including a copy of the adopted budget for 2012.</p> | <p>Supervisor
Town Board
Town Attorney
<u>cc: Comptroller</u></p> |
| <p>14. Emails received from Michael Precht, Harry Newman, Dennis Hickie, Brian Callaghan and Ronald Chiavaro regarding tee times at Crabmeadow Golf Course. The writers indicate that preferential tee times are given to a private group.</p> | <p>Supervisor
Town Board
Town Attorney
<u>cc: Parks & Recreation</u></p> |
| <p>15. Letter received from Anne Marie Marrone Caliendo, Assistant Superintendent for Finance and Facilities, for the Half Hollow Hills Central School District, indicating that a resolution was adopted at the Board of Education meeting, establishing the tax levy and tax rates for 2011-2012. Attached was a copy of the appropriation budget.</p> | <p>Supervisor
Town Board
Town Attorney
<u>cc: Comptroller</u></p> |

16. Notifications received from Kerri J. O'Brien, Deputy Commissioner for the New York State Liquor Authority regarding a hearing to be held on November 8, 2011 at 11:00 AM at 317 Lenox Avenue, New York, NY regarding the following establishments: A) Paramount and B) Huntington Social. The hearing is being held because the proposed premises is located within a 500' radius of at least 3 other licensed and operating on premises liquor establishments.
- Supervisor
Town Board
Town Attorney
Public Safety
Fire Inspector
Engineering Services
Planning & Environment
cc: Sewage Treatment Facility
17. Letter received from Joyce Logan, Secretary-Deputy Treasurer for Huntington Fire District, enclosed were a certification of the final 2012 Annual Budget and an actual copy of the 2012 Budget Summary.
- Supervisor
Town Board
Town Attorney
cc: Comptroller
18. Letter received from Susan Racine, Secretary-Treasurer for the East Northport Fire District, attached was a copy of the 2012 Summary of Budget.
- Supervisor
Town Board
Town Attorney
cc: Comptroller
19. Letter received from Andrew Freleng, Chief Planner for Suffolk County, regarding Huntington Town Board Resolution # 2011-484. The Planning Commission is considering this to be a matter of local determination; this should not be construed as either an approval or disapproval.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
20. Letter received from Todd Cohen, District Secretary for the Dix Hills Fire District, attached was a copy and certification of the approved Final Budget for 2012.
- Supervisor
Town Board
Town Attorney
cc: Comptroller
21. Email received from Alicia Hendel, Legislative Aide for the Suffolk County Legislature, regarding the following resolutions that were adopted at the October 11, 2011 meeting: 789-2011, authorizing the sale pursuant to Local Law No. 16-1976, of real property acquired under section 46 of the Suffolk County Tax Act Anthony J. Raimondi and Louise M. Raimondi, his wife; 791-2011 authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under section 46 of the Suffolk County Tax Act Monique Sonyea Mackroy-Davis; 794-2011, authorizing the sale pursuant to Local Law No. 16-1976, of real property acquired under section 46 of the Suffolk County Tax Act Mid Atlantic, LLC; 838-2011, authorizing settlement with Debra A. Cubbedge (a/k/a Debra A. Pate, a/k/a Debra A. Bettis) with regard to Suffolk County Tax Map #0400-147.00-04.00-022.000.
- Supervisor
Town Board
cc: Town Attorney
22. Halesite Fire District 2012 Budget Summary (estimates) received from Bonnie Sammis, District Secretary.
- Supervisor
Town Board
Town Attorney
cc: Comptroller
23. Letter hand delivered from Karen Herbert, District Secretary and District Treasurer for Cold Spring Harbor Fire District, included in the letter was a copy of the approved 2012 Budget and a certification of same.
- Supervisor
Town Board
Town Attorney
cc: Comptroller
24. Letter hand delivered from Edward Flynn, District Treasurer of the Melville Fire District, included with the letter was a copy of the approved 2012 Budget.
- Supervisor
Town Board
Town Attorney
cc: Comptroller

25. Copy of the Legal Notice for the Incorporated Village of Laurel Hollow Board of Zoning Appeals received from Richard Marino, Chairman, regarding a meeting to be held on November 8, 2011 at 7:30 PM at Village Hall. The following will be considered: 1. 39 Woodvale Drive – proposed shed with insufficient set back. 2. 32 Woodvale Drive – maintain an outdoor kitchen, concrete deck with fire pit, pool paver patio and boulder retaining wall all with insufficient set backs. 3. 36 Hilltop Drive – construct a detached garage with insufficient set back. 4. & 5. 28 Shady Lane – to construct two detached garages which exceed 25% of the principal building area and also to disturb a steep slope.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
26. Letter received from Candice Thomson, Fire District Treasurer for Huntington Manor Fire District, included with the letter was a copy of the approved 2012 Budget and a certification of same.
- Supervisor
Town Board
Town Attorney
cc: Comptroller
- 27.
28. Email received from Kate Ciannella regarding conditions in the area since the Paramount Theatre opened. The writer indicates there are extensive parking and noise problems.
- Supervisor
Town Board
Town Attorney
cc: Public Safety
29. Letter hand delivered from Brian Gorman, Chairman of the Eaton's Neck Board of Fire Commissioners, included were a copy of the approved 2012 Budget and a certification of same.
- Supervisor
Town Board
Town Attorney
cc: Comptroller
30. Letter received from Robert C. Hughes, President of the Eagle Dock Foundation, Inc., expressing the foundation's support for the preservation of the DeForest-Williams Property located in Cold Spring Harbor.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
31. Email received from Darelene Templeton regarding Melville Fire Department sirens. The writer is requesting that the sirens be turned off in the evenings. Attached was a copy of an article the writer found on the web regarding siren issues.
- Supervisor
Town Board
Town Attorney
Public Safety
cc: Fire Marshall
32. Letter received from Concerned Citizens of Huntington regarding parking conditions, overcrowded streets, noise and garbage in the Town since the opening of the Paramount. The letter requests that the Town Board create a compromise.
- Supervisor
Town Board
Town Attorney
Public Safety
cc: Fire Marshall
33. Letter received from Lawrence Ré regarding a Town tree that fell on his premises and caused extensive damage to various items on his property.
- Supervisor
Town Board
Town Attorney
cc: Highway
34. Letter received from Edward Yule, Attorney, representing Sunrise Outdoor Advertising, requesting Public Hearing # 4 be removed from the 11/9/2011 meeting.
- Supervisor
Town Board
Town Attorney
cc: Comptroller

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH HUNTINGTON HOSPITAL TO PARTICIPATE IN A HEARTSTART PUBLIC ACCESS DEFIBRILLATION PROGRAM

Resolution for Town Board Meeting Dated: November 9, 2011

The following resolution was offered by: Supervisor Petrone, **COUNCILWOMAN JACKSON**

and seconded by: **COUNCILWOMAN BERLAND, COUNCILMAN MAYOKA**

WHEREAS, sudden cardiac arrest is one of the leading causes of death among adults in North America; and

WHEREAS, many of those deaths could have been avoided if immediate CPR and defibrillation were utilized; and

WHEREAS, Huntington Hospital has developed a comprehensive Public Access Defibrillation Program where individuals receive training in CPR and Automated External Defibrillators; and

WHEREAS, the Town of Huntington is desirous of continuing to provide such service at several of its facilities; and

WHEREAS, an agreement to provide training in CPR and the use of automated external defibrillators is not an action as defined by 6 NYCRR 617.2 (b) and, therefore, no further SEQRA review is required.

NOW THEREFORE BE IT

RESOLVED that the Town Board

HEREBY AUTHORIZES the Supervisor to execute an agreement with Huntington Hospital to participate in the Heartstart Public Access Defibrillation Program for a two (2) year period effective from date of signing, and upon such terms and conditions as approved by the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH THE TOWN OF HUNTINGTON ECONOMIC DEVELOPMENT CORPORATION TO ACCEPT GRANT FUNDS

Resolution for Town Board Meeting Dated: November 9, 2011

The following resolution was offered by: Supervisor Petrone, **COUNCILWOMAN JACKSON**

And seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Town of Huntington Economic Development Corporation (EDC) has secured an EDI Special Projects grant from the U.S. Department of Housing & Urban Development that covers planning and design of Huntington Station Plaza; and

WHEREAS, the development of Huntington Station Plaza is an important revitalization project of the Town of Huntington and of the EDC that is fully supported by the community; and

WHEREAS, via Town Board Resolution 2011-376, the Town Board entered into a contract with artist Madeline Wiener to create permanent multiple limestone sculptural benches as part of the design of Huntington Station Plaza; and

WHEREAS, at this time the remaining planning expense associated with Huntington Station Plaza is the design of its public art component; and

WHEREAS, the EDC wishes to make available \$22,750.00 of its EDI Special projects grant to the Town Board to cover the design and planning expenses of the forthcoming limestone sculptural benches at the soon to be constructed Huntington Station Plaza; and

WHEREAS, the Town Board wishes to enter into an agreement with the Town of Huntington Economic Development Corporation whereby these EDI Special Project grant funds can be formally accepted and used to cover the cost of public art design and planning at Huntington Station Plaza; and

WHEREAS, the execution of an agreement is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(20) and (c)(27), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement and any documents in connection and related therewith the Town of Huntington Economic Development Corporation, commencing on November 10, 2011 and terminating on November 10, 2012, for the purpose of accepting grant funds from the Town of Huntington Economic Development Corporation for public art planning and design expenses associated with

TOHEDC2011AgreementResoPublicArt\$.doc
Supervisors Office/joan cergol
October 27, 2011

2011-498

Huntington Station Plaza at an amount not to exceed TWENTY TWO THOUSAND SEVEN HUNDRED FIFTY AND XX/100 (\$22,750.00) DOLLARS, to be recorded in Capital Budget Account H974897, and on such other terms and conditions as may be acceptable to the Town Attorney; and

HEREBY AUTHORIZES the Comptroller to amend the 2011 Capital Budget to accept the grant funds for the public art planning and design expenses:

Increase the following revenue:

H974897-GT011	Fed Aid Culture & Rec	\$22,750.00
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Increase the following appropriation:

PR7197-2103-GT011	Land Improvements	\$22,750.00
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VOTE:	AYES: 5	NOES: 0	ABSTENTIONS: 0
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Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

AUTHORIZE THE SUPERVISOR TO EXECUTE A REQUIREMENTS CONTRACT WITH PHIL BAUCCIO CONSULTANTS & ASSOCIATES TO PROVIDE RISK MANAGEMENT CONSULTING SERVICES

Resolution for Town Board Meeting Dated: November 9, 2011

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town with the services of Phil Bauccio Consultants has instituted cost savings solutions for the Town's workers' compensation program and general insurance program and will need occasional consulting services throughout the year for insurance renewals and workers compensation claims review; and

WHEREAS, Phil Bauccio Consultants & Associates, has experience with municipalities, extensive knowledge in risk management solutions and has acquired an in-depth knowledge of the Town's insurance program providing the Town with cost saving recommendations and guidance; and

WHEREAS, the Town of Huntington wishes to enter into a one year requirements contract for risk management consulting services with Phil Bauccio Consultants & Associates, P.O. Box 421, East Islip, NY 11730; and

WHEREAS, the execution of this contract is a Type II action pursuant to 6 N.Y.C.R.R. §617.5 (c)(20) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract, and any documents in connection therewith, with Phil Bauccio Consultants & Associates to provide risk management consulting services for a one year term on an as-needed basis at an hourly rate of \$90 per hour not to exceed a total of TEN THOUSAND DOLLARS and NO/100 (\$10,000.00) to be charged to Operating Budget A9040-8030 upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE:	AYES: 5	NOES: 0	ABSTENTIONS: 0
Supervisor Frank P. Petrone		AYE	
Councilwoman Susan A. Berland		AYE	
Councilman Mark A. Cuthbertson		AYE	
Councilwoman Glenda A. Jackson		AYE	
Councilman Mark Mayoka		AYE	

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT FOR THE TOWN OF HUNTINGTON AUTOMATED VEHICLE LOCATION AND MONITORING (AVLM) WITH VEHICLE TRACKING SOLUTIONS LLC (VTS).

Resolution for Town Board Meeting Dated: November 9, 2011

The following resolution was offered by: **COUNCILMAN CUTHBERTSON**

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the current contract for the Town of Huntington's Automated Vehicle Location and Monitoring system (AVLM) expires December 31, 2011; and

WHEREAS, the Town of Huntington continues to desire a real time tracking system, which allows the Town to better manage and maximize the value of its fleets of vehicles. This system allows managers to monitor speed, mileage, idling status, stops and times, routes and locations driven, and more. Furthermore, real time alerts can be set up for speeding, after-hours use, extended stops or idling, and theft. The system shall comprise the ability to collect "real-time" data from all vehicles simultaneously and on a regular frequency; and

WHEREAS, sealed proposals were received on September 16, 2011 by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the Town of Huntington Automated Vehicle Location and Monitoring (AVLM), RFP No. 2011-09-013 and the same were opened and read aloud; and

WHEREAS, Vehicle Tracking Solutions, LLC (VTS), 10 E 5th Street Deer Park, New York 11729 is the successful proposer; and

WHEREAS, Town of Huntington automated vehicle location and monitoring (AVLM) is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(25), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract, and any documents in connection and related therewith, with Vehicle Tracking Solutions, LLC (VTS) for the Town of Huntington Automated Vehicle Location and Monitoring (AVLM) fees and equipment purchases. The contract period shall be effective for three (3) years commencing upon execution of the contract and upon mutual agreement of the vendor and the Town, the contract may be extended for two (2) additional three (3) year periods under the same prices, terms and conditions, to be charged to various department operating budgets under object code 4570 and equipment purchases to IT1997-2220, and upon such other terms and conditions as may be acceptable to the Town Attorney.

2011-500

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH MACKENZIE AUTOMATIC DOORS, INC. TO INCLUDE MAINTENANCE AND REPAIR OF AUTOMATIC DOORS AT THE DIX HILLS ICE RINK

Resolution for Town Board Meeting Dated: November 9, 2011

The following resolution was offered by: **COUNCILWOMAN BERLAND**

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Town of Huntington has an agreement with MacKenzie Automatic Doors, Inc. 72 Reade Street, New York, NY, for maintenance and repair of automatic doors at Town Hall and the Village Green Center located on Park Avenue, Huntington; and

WHEREAS, the newly constructed Dix Hills Ice Rink contains four (4) automatic doors that require maintenance and repair; and

WHEREAS, MacKenzie Automatic Doors, Inc., has submitted a proposal to add the Dix Hills Ice Rink to the existing agreement which terminates December 31, 2012; and

WHEREAS, execution of this agreement is a Type II action under SEQRA, pursuant to N.Y.C.R.R. 617.5(c)(1) and therefore no further SEQRA review is required.

NOW THEREFORE,

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an amendment to the agreement with MacKenzie Automatic Doors, Inc., 72 Reade Street, New York, NY to include maintenance and repair of automatic doors at the Dix Hills Ice Rink, for the remaining twelve (12) months of the agreement, commencing January 1, 2012 and terminating December 31, 2012, for an amount not to exceed the sum of ONE THOUSAND SEVEN HUNDRED TWENTY AND NO/100 (\$1,720.00) DOLLARS, to be charged to Operating Budget Item No. A1621-4420,

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-502

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE REQUIREMENTS CONTRACT FOR REFUSE REMOVAL SERVICES 4 CUBIC YARD, 6 CUBIC YARD, 8 CUBIC YARD CONTAINERS WITH JAMAICA ASH & RUBBISH REMOVAL CO., INC.

Resolution for Town Board Meeting Dated: November 9, 2011

The following resolution was offered by: **COUNCILMAN CUTHBERTSON, COUNCILWOMAN BERLAND**
and seconded by: **COUNCILWOMAN JACKSON**

WHEREAS, various departments throughout the Town require 4 cubic yard, 6 cubic yard, or 8 cubic yard refuse removal containers, in order to consolidate and remove rubbish generated from various Town facilities. The collected refuse is then transported and disposed of at the Town of Huntington's Resource Recovery Facility. The facilities that utilize these containers include but are not limited to Town Parks, Beaches, Marinas, Streetlighting, HART Bus and the Dix Hills Water District; and

WHEREAS, Town Board Resolution 2010-515 authorized the execution of a contract with Jamaica Ash & Rubbish Removal Co. Inc. for refuse removal service 4 cubic yard, 6 cubic yard, 8 cubic yard containers, Bid No. TOH 10-09R-066; and

WHEREAS, said requirements contract provides for a one (1) year extension with no increase in the bid price or change in the terms and conditions; and

WHEREAS, Jamaica Ash & Rubbish Removal Co. Inc., 173 School Street, Westbury, New York 11590 has requested the one (1) year extension; and

WHEREAS, the authorization to extend a contract is a Type II action pursuant to 6 N.Y.C.R.R. §617.5 (c) (20) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an extension to the requirements contract, and any documents in connection and related therewith, with Jamaica Ash & Rubbish Removal Co. Inc. for refuse removal service 4 cubic yard, 6 cubic yard, 8 cubic yard containers. The extension period shall be effective for one (1) year commencing on January 1, 2012 to be charged to the various operating budgets of the Town, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT FOR THE LANDFILL, GAS MONITORING AND RELATED ENGINEERING SERVICES AT THE TOWN OF HUNTINGTON EAST NORTHPORT LANDFILL WITH R & C FORMATION, LTD.

Resolution for Town Board Meeting Dated: November 9, 2011

The following resolution was offered by: **COUNCILMAN CUTHBERTSON**

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Town of Huntington is required by a Record of Decision (ROD) to provide monitoring reports on Landfill Gas (LFG), as well as on the operation of LFG monitoring and control systems at its East Northport Landfill. This work has been provided by an outside consultant since the installation of an LFG control system in 1974, and the Town of Huntington periodically solicits competitive pricing; and

WHEREAS, sealed proposals were received on October 21, 2011 by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the landfill, gas monitoring and related engineering services at the Town of Huntington East Northport Landfill, RFP 2011-10-015 and the same were opened and read aloud; and

WHEREAS, R & C Formation, Ltd., 705 Bedford Avenue, Suite 2B, Bellmore, New York 11710 is the successful proposer; and

WHEREAS, landfill, gas monitoring and related engineering services at the Town of Huntington East Northport landfill is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(1) and (c)(20) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract, and any documents in connection therewith, with R & C Formation, Ltd., for the landfill, gas monitoring and related engineering services at the Town of Huntington East Northport landfill. The contract period shall be effective for a twelve (12) month term commencing upon execution of the contract with two (2) additional twelve (12) month periods upon mutual consent and upon such terms and conditions as may be approved by the Town Attorney and at the discretion of the Town Board, not to exceed the annual sum TWENTY THREE THOUSAND NINE HUNDRED AND NO/100 (\$23,900.00) DOLLARS to be charged to the East Northport Landfill-Post Closure Maintenance operating budget line A 8166 4550 and upon such other terms and conditions as may be acceptable to the Town Attorney.

2011- 503

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-504

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE FRANCHISE AGREEMENT WITH MAD SCIENCE OF LONG ISLAND FOR SCIENCE CAMPS AND PROGRAMS FOR THE TOWN OF HUNTINGTON DEPARTMENT OF PARKS AND RECREATION.

Resolution for Town Board Meeting Dated: November 9, 2011

The following resolution was offered by: **COUNCILWOMAN BERLAND, COUNCILWOMAN JACKSON**
and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Town of Huntington is desirous of utilizing the instructional services of a qualified, trained vendor to organize, coordinate and supervise various science programs at various facilities throughout the Town; and

WHEREAS, Town Board Resolution 2009-154 granted a franchise agreement with Mad Science of Long Island, P.O. Box 401, Woodmere, New York 11598-0401 to conduct science camps and programs at various sites, RFP 2008-13; and

WHEREAS, said contract provides for two (2) one (1) year extensions at the same terms and conditions; and

WHEREAS, Town Board Resolution 2010-587 authorized the first one (1) year extension; and

WHEREAS, Mad Science of Long Island has requested the second and final one (1) year extension at the same terms and conditions of the original Request for Proposal, with an increase in the program fees to an annual negotiated amount of (5%) five percent; and

WHEREAS, the authorization to extend a franchise agreement is a Type II action pursuant to 6 N.Y.C.R.R. §617.5 (c) (20) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an extension to the franchise agreement, and any documents in connection and related therewith, with Mad Science of Long Island to conduct instructional science camps and programs at various sites in the Town. Mad Science of Long Island will pay the Town (20%) twenty percent of the gross revenue received, to be deposited into Revenue Code A2006 for the term commencing January 1, 2012 and terminating December 31, 2012, and upon such other terms and conditions as may be acceptable to the Town Attorney.

2011-504

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone

AYE

Councilwoman Susan A. Berland

AYE

Councilman Mark A. Cuthbertson

AYE

Councilwoman Glenda A. Jackson

AYE

Councilman Mark Mayoka

AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-505

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION
TO THE FRANCHISE AGREEMENT WITH UNITED SOCCER ACADEMY, INC.
FOR THE YOUTH SPORTS PROGRAMS AT VARIOUS TOWN PARKS.

Resolution for Town Board Meeting Dated: November 9, 2011

The following resolution was offered by: **COUNCILMAN MAYOKA, COUNCILWOMAN JACKSON**
and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town of Huntington is desirous of utilizing the instructional services of a qualified, trained vendor to organize, coordinate and supervise year round instructional soccer and multiple sports programs for youths at various parks throughout the Town; and

WHEREAS, Town Board Resolution 2009-201 granted a franchise agreement with United Soccer Academy, Inc. 12 Maiden Lane, Suite 1, Bound Brook, New Jersey 08805 to conduct Youth Sports Programs, RFP 2008-14 at various Town Parks; and

WHEREAS, said contract provides for two (2) one (1) year extensions at the same terms and conditions; and

WHEREAS, Town Board Resolution 2010-586 authorized the first one (1) year extension; and

WHEREAS, United Soccer Academy, Inc. has requested the second and final one (1) year extension at the same terms and conditions as the original Request for Proposal; and

WHEREAS, the authorization to extend a franchise agreement is a Type II action pursuant to 6 N.Y.C.R.R. §617.5 (c) (20) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an extension to the franchise agreement, and any documents in connection and related therewith, with United Soccer Academy, Inc. to conduct youth sports programs at various Town Parks and will pay the Town (20%) twenty percent of the gross revenue received, to be deposited into Revenue Code A2001 for the term commencing January 1, 2012 and terminating December 31, 2012, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-506

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A REQUIREMENTS CONTRACT FOR THE PROCESSING, RECYCLING, MARKETING AND DISPOSAL OF RESIDENTIAL POST CONSUMER ELECTRONICS WITH WE RECYCLE! LLC.

Resolution for Town Board Meeting Dated: November 9, 2011

The following resolution was offered by: **Supervisor Petrone**

and seconded by: **COUNCILMAN CUTHBERTSON, COUNCILWOMAN BERLAND**

WHEREAS, the Town of Huntington will make available, on a regular basis, consumer electronics (e-waste) that are to be recycled rather than be disposed of by landfilling or incineration. This contract will provide for the processing, recycling, marketing and disposal of residential post consumer electronic (residential e-waste) at the maximum revenue to the Town of Huntington. The vendor will process the materials the Town offers to the vendor and the vendor will separate the materials and market them for highest dollar amount available; and

WHEREAS, sealed proposals were received on November 4, 2011 by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the processing, recycling, marketing and disposal of residential post consumer electronics, RFP No. 2011-11-016 and the same were opened and read aloud; and

WHEREAS, We Recycle! LLC, 249 E. Sanford Blvd., Mt. Vernon, New York 10550 is the successful proposer; and

WHEREAS, the proposed action is a type II action under SEQRA pursuant to Title 6 NYCRR §617.5(c)(20), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a requirements contract, and any documents in connection and related therewith, with We Recycle! LLC, for the processing, recycling, marketing and disposal of residential post consumer electronics. The contract period shall be effective for two (2) years commencing upon execution of the contract and upon mutual agreement of the vendor and the Town, the contract may be extended for two (2) additional one (1) year periods under the same prices, terms and conditions, to be deposited into revenue account A2651, and upon such other terms and conditions as may be acceptable to the Town Attorney.

2011-506

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A REQUIREMENTS CONTRACT FOR SOIL BORING AND SOIL TESTING WITH SOIL MECHANICS DRILLING CORP.

Resolution for Town Board Meeting Dated: November 9, 2011

The following resolution was offered by: **COUNCILWOMAN BERLAND**

and seconded by: **COUNCILWOMAN JACKSON**

WHEREAS, the intent of this contract is to engage the services of a qualified vendor, capable of performing soil boring work in order to aid the Town in the planning and construction of Town projects. The scope of work includes but is not limited to maintenance and protection of traffic, stake-out, arranging utility markouts, ground water elevation determination, making of soil borings, taking of samples, providing grain size analysis of samples, describing samples, making percolation tests, performing various geotechnical tests on soils, and providing certified reports; and

WHEREAS, sealed bids were received on October 27, 2011 by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for soil boring and soil testing, Bid No. TOH 11-10R-093 and the same were opened publicly and read aloud; and

WHEREAS, Soil Mechanics Drilling Corp., 3770 Merrick Road, Seaford, New York 11783 is the low bidder; and

WHEREAS, soil boring and soil testing is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(18), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a requirements contract, and any documents in connection and related therewith, with Soil Mechanics Drilling Corp. for soil boring and soil testing for Town construction programs. The contract shall be for a one (1) year period commencing from the date of execution, but not prior to December 31, 2011, and upon mutual agreement of the vendor and the Town, the contract may be extended for two (2) additional one (1) year periods at the same or reduced prices and under the same terms and conditions, to be charged to various capital and operating budgets as needed, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

Soil boring and soil testing

PURCH/LF/

10/28/2011, 11:16 AM

2011-508

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH STATE UNIVERSITY OF NEW YORK AT STONY BROOK, NEW YORK IN THE SCHOOL OF SOCIAL WELFARE FOR THE PROVISION OF ASSISTANCE TO THE SENIOR POPULATION THROUGH A SOCIAL WORK INTERNSHIP PROGRAM

Resolution for Town Board Meeting dated: November 9, 2011

The following resolution was offered by: Supervisor Petrone, **COUNCILWOMAN BERLAND**

And seconded by: **COUNCILWOMAN JACKSON**

WHEREAS, the provision of assistance through a social work internship program with State University of New York at Stony Brook, New York in the School of Social Welfare will positively impact the senior population; and

WHEREAS, the Town of Huntington desires to assist students in obtaining hands on experience in particular clinical skills being taught in the classroom; and

WHEREAS, State University of New York at Stony Brook, New York in the School of Social Welfare, will assume full responsibility for planning and execution of the educational program including but not limited to its contents and expenses; and

WHEREAS, entering into this contract for educational purposes is not an action as defined by 6 N.Y.C.R.R. section 617.2(b) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement with State University of New York at Stony Brook, New York in the School of Social Welfare for the provision of assistance to the senior population through a social work internship program for a period of one year, and to execute any documents in connection therewith upon such other terms and conditions as are acceptable to the Town Attorney.

VOTE:	AYES: 5	NOES: 0	ABSTENTIONS: 0
Supervisor Frank P. Petrone			AYE
Councilwoman Susan A. Berland			AYE
Councilman Mark A. Cuthbertson			AYE
Councilwoman Glenda A. Jackson			AYE
Councilman Mark Mayoka			AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH H2M GROUP FOR PROFESSIONAL ENGINEERING SERVICES FOR PREPARATION OF PLANS AND SPECIFICATIONS AND, FOR PROVISION OF CONSTRUCTION ADMINISTRATION AND OBSERVATION SERVICES FOR THE CONVERSION OF WELL NO. 1-3 TO VERTICAL DEEP WELL TURBINE – DIX HILLS WATER DISTRICT

Resolution for Town Board Meeting Dated: November 9, 2011

The following resolution was offered by: Councilwoman Berland

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, District Well No. 1-3 has a deep well submersible pump and electric motor which burned out in 2010 and has been problematic since then; as submerged equipment is difficult to identify when equipment failure occurs; and

WHEREAS, the District has requested that the well be converted to a vertical deep well turbine pump with an above grade motor, which requires the erection of a small heated structure above grade to house the motor; and

WHEREAS, maintenance or repair involving no substantial changes in an existing structure or facility is a Type II action pursuant to 6 NYCRR § 617.5(c)(1) and, therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the execution of a contract with H2M Group, 575 Broad Hollow Road, Melville, New York 11747, for professional engineering services for the preparation of plans and specifications and, for provision of construction administration and observation services for the conversion of Well 1-3 at Dix Hills Water District for an amount not to exceed the sum of THIRTY TWO THOUSAND AND FIVE HUNDRED NO/100 (\$32,500.00) DOLLARS, to be charged to Dix Hills Water District – Capital Budget Item EG8397-2778-FB303.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-510

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH H2M GROUP FOR PROFESSIONAL ENGINEERING SERVICES FOR PREPARATION OF PLANS AND SPECIFICATIONS AND, FOR PROVISION OF CONSTRUCTION ADMINISTRATION AND OBSERVATION SERVICES FOR THE REHABILITATION OF WELL NO. 6-1 – DIX HILLS WATER DISTRICT

Resolution for Town Board Meeting Dated: November 9, 2011

The following resolution was offered by: Councilwoman Berland

and seconded by: **COUNCILWOMAN JACKSON**

WHEREAS, Plant No. 6 and Well 6-1 were constructed in 1974 and have not been overhauled since 1989, and the well pump replaced back in 1992; and

WHEREAS, the efficient operation of the Dix Hills Water District requires continual maintenance and upgrading of the District infrastructure; and

WHEREAS, Dix Hills Water District has a public supply well No. 6-1 that is scheduled for rehabilitation, as outlined in the District's Master Plan; and provided for in current Capital Budget funding; and

WHEREAS, maintenance or repair involving no substantial changes in an existing structure or facility is a Type II action pursuant to 6 NYCRR § 617.5(c)(1) and, therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the execution of a contract with H2M Group, 575 Broad Hollow Road, Melville, New York 11747, for professional engineering services for the preparation of plans and specifications and, for provision of construction administration and observation services for the Rehabilitation of Well 6-1 at Dix Hills Water District for an amount not to exceed the sum of SIXTEEN THOUSAND, AND NO/100 (\$16,000.00) DOLLARS, to be charged to Dix Hills Water District -- Capital Budget Item EG8397-2778-07321.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE ISSUANCE OF A PERMIT TO EXTEND
NEWSDAY'S "HOLIDAY LIGHTS FESTIVAL" CHARITABLE FUND RAISING
EVENT DURING THE MONTH OF DECEMBER 2011 TO BE HELD AT 235
PINELAWN ROAD, MELVILLE, NY

Resolution for Town Board Meeting Dated: November 9, 2011

The following resolution was offered by: Supervisor Petrone, **COUNCILWOMAN JACKSON**

And seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, Newsday has applied for permits from the Town Clerk's office to operate its "Holiday Lights Festival" on its property located at 235 Pinelawn Road, Melville, NY 11747, at such days and times as follow: December 1st, 8th and 15th from 6:00 PM to 10:00 PM; and December 2nd, 9th and 16th from 6:00 PM to 11:00 PM; and December 3rd, 10th and 17th from 5:00 PM to 10:00 PM.

WHEREAS, §91-3 of the Huntington Town Code (Carnivals, Circuses, Fairs and Amusement Events) provides that each permit for such an event may be issued for a term not to exceed six (6) days and that no more than two (2) permits may be issued per person or organization for each calendar year; and

WHEREAS, the permits requested exceed allotted number; requiring the direct authorization of the Town Board; and

WHEREAS, Newsday has applied for a permit to extend its "Holiday Lights Festival" for December 22nd and 29th from 6:00 PM to 10:00 PM; and December 23rd and 30th from 6:00 PM to 11:00 PM.

WHEREAS, the Town Board believes the Festival will be a source of cheer and fellowship for the Huntington community and wishes to provide residents with ample opportunity to attend the charitable event Newsday is sponsoring; and

WHEREAS, the issuance of a permit to extend the operation of Newsday's Holiday Lights Festival is not an action as defined by 6 N.Y.C.R.R. 617.2(b), and therefore, no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the issuance of a permit to extend Newsday's "Holiday Lights Festival" charitable fund raising event during the month of December 2011 to be held at 235 Pinelawn Road, Melville, NY, under such terms and conditions as may be acceptable to the Town Attorney.

2011-511

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-512

RESOLUTION AUTHORIZING THE COMPTROLLER TO APPROPRIATE FUNDS
FROM THE WORKERS' COMPENSATION RESERVE FOR THE PURPOSE OF
FUNDING CLAIMS-DEPARTMENT OF AUDIT AND CONTROL

Resolution for Town Board Meeting Dated: November 9, 2011

The following resolution was offered by **COUNCILMAN CUTHBERTSON**

and seconded by **SUPERVISOR PETRONE**

WHEREAS, the New York State Workers Compensation Board increased the indemnity, assessment rates, medical expenses and there were several large workers compensation judgments which in total require additional funding; and

WHEREAS, under Section 51 of Town Law, the Town Board of a suburban town shall be the appropriating governing body of said town and shall have and exercise all power and duties as are conferred or imposed upon it and one such power and duty is to approve all budgetary amendments; and

WHEREAS, funding the settlement of claims is a Type II action pursuant to SEQRA as defined by 6 N.Y.C.R.R. §617.5 (c)(20) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Comptroller to appropriate FIVE HUNDRED THOUSAND AND NO/100 (\$500,000.00) DOLLARS from the Workers' Compensation Reserve Fund (A-0814) for the purpose of funding claims.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE COMPTROLLER TO AMEND THE 2011
CAPITAL BUDGET FOR DRAINAGE MITIGATION FOR THE TOWN OF
HUNTINGTON - HIGHWAY OFFICE

Resolution for Town Board Meeting Dated: November 9, 2011

The following resolution was offered by: Supervisor Petrone

Councilwoman Berland, **COUNCILMAN MAYOKA**

and seconded by: **COUNCILMAN CUTHBERTSON, COUNCILWOMAN JACKSON**

WHEREAS, under Section 51 of Town Law, the Town Board of a suburban town shall be the appropriating body of said town and shall have exercise all power and duties as are conferred or imposed upon it, and

WHEREAS, one such power and duty is to approve all budgetary amendments;

WHEREAS, the Superintendent requires funding to perform drainage mitigation at locations throughout the Harbor Knolls and Harbor Heights Park Communities in Huntington to reduce the watershed contributing to an existing Town recharge basin at the corner of Marie Drive and Eleanor Place, due to the fact that when this area receives rainfalls that exceed the original 1950s design standards, stormwater runoff in heavy rains inundates the Town's drainage system causing the recharge basin to fill up and back up onto Marie Drive and Blackberry Lane, and

WHEREAS, this a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(1), (c)(2) and (c)(4), and therefore no further SEQRA review is required

NOW THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Comptroller to amend the 2011 Capital Budget as follows to appropriate funds for the drainage project in the Harbor Knolls/Harbor Heights communities:

Decrease the following appropriation:

HW8597-2781-11501	Drainage	\$90,000
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Increase the following appropriation:

HW8597-2781-11502	Drainage-Harbor Knolls/Harbor Heights	\$90,000
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2011-513

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-514

RESOLUTION AUTHORIZING THE CORRECTION OF CODE VIOLATIONS AT
VARIOUS LOCATIONS PURSUANT TO THE CODE OF THE TOWN OF
HUNTINGTON AND/OR THE UNIFORM CODES OF THE STATE OF NEW YORK

Resolution for Town Board Meeting Dated: November 9, 2011

The following resolution was offered by: **COUNCILWOMAN BERLAND**

And seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, violations of the Code of the Town of Huntington and/or the Uniform Codes of the State of New York exist at the locations set forth in Schedule "A", attached hereto and made part of this Resolution, which constitute an attractive nuisance, negatively affect the aesthetic appearance of our neighborhoods, and jeopardize the health and safety of residents in close proximity to these properties; and

WHEREAS, the owner(s) of properties listed in Schedule "A" have failed and/or refused to bring their properties into compliance after a Notice of Violation has been issued by the Department of Public Safety; and

WHEREAS, the correction of code violations by the Town of Huntington is a Type II action pursuant to 6 N.Y.C.R.R. 617.5 c. (33) and, therefore, no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD

HEREBY DIRECTS the Town Attorney to provide each property owner listed in Schedule "A" with a copy of this Resolution, and notice that such violation must be rectified to the satisfaction of the Town within ten (10) days of mailing of the Notice, and upon the failure to remedy the same on a timely basis, the Town shall take all steps necessary to rectify the hazard or nuisance at the property owner's expense; and

HEREBY AUTHORIZES, the Director of the Department of General Services and other Town departments having jurisdiction, to take all actions necessary to correct the violations on these properties upon the failure of the owners to do so, and charge all costs incurred by the Town against the owners of the properties in the same manner and at the same time as real property taxes in accordance with the applicable provisions of the Code of the Town of Huntington or other applicable law.

VOTE:	AYES: 5	NOES: 0	ABSTENTIONS: 0
Supervisor Frank P. Petrone		AYE	
Councilwoman Susan A. Berland		AYE	
Councilman Mark A. Cuthbertson		AYE	
Councilwoman Glenda A. Jackson		AYE	
Councilman Mark Mayoka		AYE	

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-514

Schedule A

Chapter 119, Section 5A & B of the Code of the Town of Huntington
Authorizing the Removal of Graffiti

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
Deer Park Rd. Dix Hills, NY 11746	0400-247.00-03.00-032.000	Carll Cemetery	08/09/2011	N/A
161 New York Ave. Huntington, NY 11743	0400-071.00-02.00-084.000	110 Prime, Inc.	09/19/2011	2 Frances Dr. Muttontown, NY 11791

Chapter 133, Section 2A of the Code of the Town of Huntington
Authorizing the Removal of Litter and Debris

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
Academy Pl. Huntington Sta., NY 11746	0400-099.00-04.00-016.000	Mt. Calvary of Huntington Ministries, Inc. C/O Bishop Frank Mixon	10/13/2011	1520 New York Ave. Huntington Sta., NY 11746
16 Altamore St. Melville, NY 11747	0400-259.00-02.00-006.000	Michael Halleran Kevin & Dawn McCleary	07/29/2011	N/A
52 Craven St. Huntington Sta., NY 11746	0400-136.00-04.00-001.000	Tanisha Goodman	10/20/2011	N/A
52 Henry St. Huntington Sta., NY 11746	0400-099.00-04.00-059.000	Laurie Kurte	10/21/2011	N/A
312 Oakwood Rd. Huntington Sta., NY	0400-138.00-02.00-083.000	Chi Chow	09/15/2011	32 Bainbridge Ave. Melville, NY 11747

2011-514

Chapter 133, Section 2A of the Code of the Town of Huntington
Authorizing the Removal of Litter and Debris (Continued)

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
1 Lemington Ct. Northport, NY 11768	0400-003.00-02.00-002.000	Jonathan Scott Jacqueline Scott	10/24/2011	N/A

Chapter 156, Section 13 of the Code of the Town of Huntington
Authorizing the Securing of an Open Excavation

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
33 Keeler St. Huntington, NY 11743	0400-206.00-03.00-071.000	Cynthia Cubero	10/26/2011	N/A

Chapter 156, Section 45 of the Code of the Town of Huntington
Authorizing the Removal of Stagnant Water

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
33 Keeler St. Huntington, NY 11743	0400-206.00-03.00-071.000	Cynthia Cubero	10/26/2011	N/A

2011-514

Chapter 156, Section 46A of the Code of the Town of Huntington
Authorizing the Removal of the Overgrown Weeds and Grass

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
16 Altamore St. Melville, NY 11747	0400-259.00-02.00-006.000	Michael Halleran Kevin & Dawn McCleary	08/02/2011	N/A
1 Cabrioleet Ln. Melville, NY 11746	0400-228.00-01.00-015.002	Paul Punzone	10/13/2011	N/A
52 Craven St. Huntington Sta., NY 11746	0400-136.00-04.00-001.000	Tanisha Goodman	10/20/2011	N/A
52 Henry St. Huntington Sta., NY 11746	0400-099.00-04.00-059.000	Laurie Kurte	10/21/2011	N/A
1 Lemington Ct. Northport, NY 11768	0400-003.00-02.00-002.000	Jonathan Scott Jacqueline Scott	10/24/2011	N/A
161 New York Ave. Huntington, NY 11743	0400-071.00-02.00-084.000	110 Prime, Inc.	09/19/2011	2 Frances Dr. Muttontown, NY 11791
312 Oakwood Rd. Huntington Sta., NY	0400-138.00-02.00-083.000	Chi Chow	09/15/2011	32 Bainbridge Ave. Melville, NY 11747

2011-514

Chapter 198, Section 76B & C of the Code of the Town of Huntington
Authorizing the Removal of Junk Mobile Home

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
52 Craven St. Huntington Sta., NY 11746	0400-136.00-04.00-001.000	Tanisha Goodman	10/20/2011	N/A

RESOLUTION ADOPTING THE ANNUAL OPERATING BUDGET FOR FISCAL YEAR COMMENCING JANUARY 1, 2012

Resolution for Town Board Meeting Dated: November 9, 2011

The following resolution was offered by: **COUNCILMAN CUTHBERTSON**

and seconded by: **SUPERVISOR PETRONE**

THE TOWN BOARD, having conducted a public hearing on the 11th day of October, 2011, for the purpose of considering the Preliminary Annual Operating Budget heretofore completed and filed with the Town Clerk for the fiscal year commencing January 1, 2012, and having heard all persons desiring to be heard with reference to this matter, and having determined that the Preliminary Annual Operating Budget should be adopted;

HEREBY ESTABLISHES AND ADOPTS the Annual Operating budget for the Town of Huntington for the fiscal year commencing January 1, 2012 with the intention that all budgeted salaries for full-time positions that remain vacant as of January 1, 2012 shall be transferred to a general contingency account in the respective operating funds; and

HEREBY DIRECTS that said Annual Operating Budget be entered in detail in the minutes of the proceedings of the Town Board; and

FURTHER DIRECTS that the Town Clerk prepare and certify, as provided by law, duplicate copies of the said Annual Operating Budget adopted, and deliver two copies of said budget to the Supervisor of the Town of Huntington who shall submit said copies to the Clerk of the Suffolk County Legislature at County Center, Riverhead, New York, as required by law.

VOTE: AYES: 2 NOES: 3 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	NO
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	NO
Councilman Mark Mayoka	NO

THE RESOLUTION WAS THEREUPON DECLARED DULY **DEFEATED.**

2011- 516

RESOLUTION ADOPTING THE CAPITAL BUDGET FOR FISCAL YEAR
COMMENCING JANUARY 1, 2012

Resolution for Town Board Meeting Dated: November 9, 2011

The following resolution was offered by: **COUNCILMAN CUTHBERTSON**

and seconded by: **SUPERVISOR PETRONE, COUNCILWOMAN JACKSON**

THE TOWN BOARD, having conducted a public hearing on the 11th day of October, 2011, for the purpose of considering the Preliminary Capital Budget heretofore completed and filed with the Town Clerk for the fiscal year commencing January 1, 2012, and having heard all persons desiring to be heard with reference to this matter, and having determined that the Preliminary Capital Budget should be adopted,

HEREBY ESTABLISHES AND ADOPTS the Capital Budget for the Town of Huntington for the fiscal year commencing January 1, 2012; and

HEREBY DIRECTS that said Capital Budget be entered in detail in the minutes of the proceedings of the Town Board, and

FURTHER DIRECTS that the Town Clerk prepare and certify, as provided by law, duplicate copies of the said Capital Budget adopted, and deliver two copies of said budget to the Supervisor of the Town of Huntington who shall submit said copies to the Clerk of the Suffolk County Legislature at County Center, Riverhead, New York, as required by law.

VOTE: AYES: 4 NOES: 1 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	NO

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-517

RESOLUTION ACCEPTING SPONSORSHIP FROM BETHPAGE FEDERAL CREDIT UNION FOR TOWN OF HUNTINGTON "SKATE SWAP" AT DIX HILLS ICE RINK, NUNC PRO TUNC.

Resolution for Town Board Meeting dated: November 9, 2011

The following resolution was offered by: Councilwoman Berland

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Town of Huntington hosted the second annual "Skate Swap" on Saturday, October 22, 2011, in which skaters swapped equipment with one another at the Dix Hills Ice Rink; and

WHEREAS, Bethpage Federal Credit Union sponsored the event and donated two hours of ice time at the Dix Hills Ice Rink so patrons of the rink may enjoy a free skating period for the duration of the "Skate Swap"; and

WHEREAS, accepting donations from various merchants is not an action as defined by 6NYCRR §617.2 (b) and therefore no further SEQRA review is required.

NOW THEREFORE, THE TOWN BOARD

HEREBY ACCEPTS a donation from Bethpage Federal Credit Union for the donation of two hours of ice time for the Town of Huntington's "Skate Swap", nunc pro tunc and

HEREBY THANKS them for their generosity.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Susan A. Berland	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011- 518

RESOLUTION APPOINTING A MEMBER TO THE PUBLIC ART ADVISORY COMMITTEE

Resolution for Town Board Meeting Dated: November 9, 2011

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, Town Board Resolution 2001-550 adopted Public Art Advisory Committee Guidelines and Administrative Plan, created a Public Art Advisory Committee, appointed members thereto and designated a Chairperson; and

WHEREAS, Kenneth Wayne, whose term expires on September 10, 2012, has resigned from the Committee; and

WHEREAS, the appointment of members to the Public Art Advisory Committee is not an action as defined by 6 NYCRR §617.2(b) and therefore, no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD, upon the recommendation of the Public Art Advisory Committee,

HEREBY APPOINTS the following individual to the Public Art Advisory Committee for the remainder of the vacant term to expire on September 10, 2012:

MICHELE PEPPERS
7 Diana Hill, Huntington, New York 11743

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-519

RESOLUTION APPOINTING VOLUNTEER PARK STEWARDS

Resolution for Town Board Meeting Dated: November 9, 2011

The following resolution was offered by **COUNCILWOMAN BERLAND**

and seconded by **COUNCILWOMAN JACKSON**

WHEREAS, the Park Stewardship Program, initiated in 1990 and coordinated through the Huntington Conservation Board and the Departments of Parks and Recreation and Planning and Environment, serves a vital purpose of providing surveillance and maintenance support on Town-owned park properties, and

WHEREAS, Town Board-appointed Volunteer Park Stewards file periodic monitoring reports and notify the Town of actual or potential hazards or abuse to the ecological integrity of the park(s), and

WHEREAS, the appointment of park stewards is not an action as defined by SEQRA in 6 NYCRR 617.2(b); therefore, no SEQRA review is required;

NOW, THEREFORE, THE TOWN BOARD

HEREBY APPOINTS Volunteer Park Stewards for specific parks as follows:

Alison Krivoshey	20 Ashford Lane Huntington 11743	Timber Ridge Park
Ellen Melore	8 Brickman Court Huntington 11743	Grist Mill Park, Heron Park
Elizabeth Davidson	76 Wyman Avenue Huntington 11746	Gateway Park
Agapi Bell	22 Ashford Lane Huntington 11743	Timber Ridge Park

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION ENDORSING NORTH SHORE LAND ALLIANCE APPLICATION TO
THE NEW YORK STATE ENVIRONMENTAL PROTECTION FUND TO
SUPPORT ACQUISITION OF WILLIAMS PROPERTY (COLD SPRING HARBOR)

Resolution for Town Board Meeting Dated: November 9, 2011

The following resolution was offered by: **COUNCILMAN MAYOKA, COUNCILWOMAN JACKSON,
COUNCILWOMAN BERLAND**

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the NORTH SHORE LAND ALLIANCE is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under the Environmental Protection Fund to use toward the acquisition of a portion of the Williams property located at 6 Shore Road, Cold Spring Harbor, a site located within the territorial jurisdiction of this Board, and

WHEREAS, as a requirement under the rules of these programs, said not-for-profit corporation must obtain the "approval/endorsement of the governing body of the municipality in which the project will be located;"

WHEREAS, this action is classified Type II pursuant to SEQRA 6 NYCRR 617.5(c)(21) as it involves preliminary planning and budgetary processes necessary to the formulation of a proposal for action, which do not commit the agency to commence, engage in or approve such action and a SEQRA review will be completed prior to any Town funding authorization related to this project;

NOW, THEREFORE, BE IT

RESOLVED by this august body that the Town Board of the Town of Huntington hereby does approve and endorse the application of the North Shore Land Alliance for a grant under the Environmental Protection Fund for preservation purposes, acquisition of the property known as part of 6 Shore Road, Cold Spring Harbor (Williams property) and located within this community.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-521

RESOLUTION SCHEDULING REGULAR MEETINGS OF THE TOWN BOARD OF
THE TOWN OF HUNTINGTON FOR THE YEAR 2012

Resolution for Town Board Meeting Dated: November 9, 2011

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, scheduling regular meetings of the Town Board is not an action as defined by 6 NYCRR §617.2 (b) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD hereby schedules regular meetings of the Town Board of the Town of Huntington, at Town Hall, 100 Main Street, Huntington, New York, for the year 2012, as follows:

	<u>2:00 PM</u>	<u>6:00 PM</u>	<u>7:00 PM</u>
JANUARY			10th
FEBRUARY			15th (Wednesday)
MARCH			13th
APRIL			17th
MAY	8th		22nd
JUNE			12th
JULY			10th
AUGUST			7th
SEPTEMBER	12 th (Wednesday)		
SEPTEMBER			24 th (Monday)
OCTOBER		16th	
NOVEMBER			7th (Wednesday)
DECEMBER			4th

All meetings will be held on Tuesday unless otherwise indicated above.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION WAIVING PARKING METER FEES IN THE DOWNTOWN SHOPPING AREA KNOWN AS HUNTINGTON VILLAGE AND AUTHORIZING THE INSTALLATION OF HOLIDAY TYPE LIGHTS AND DECORATIONS DURING THE HOLIDAY SEASON IN VARIOUS AREAS

Resolution for Town Board Meeting Dated: November 9, 2011

The following resolution was offered by: Supervisor Petrone, **COUNCILMAN MAYOKA**

and seconded by: **COUNCILWOMAN JACKSON, COUNCILWOMAN BERLAND**

WHEREAS, in an effort to stimulate business and encourage residents to shop locally during the holiday season, the Town Board is desirous of waiving parking meter fees in the downtown shopping area known as Huntington Village for the period beginning November 25, 2011 and ending December 31, 2011; and

WHEREAS, the Huntington Township Chamber of Commerce and Huntington Business Improvement District Association, the Huntington Station Business Improvement District Association, and the East Northport Chamber of Commerce have requested permission to install lights and other decorations in keeping with the holiday spirit within their business areas during the holiday season; and

WHEREAS, the following are the areas defined by each organization:

Huntington Township Chamber of Commerce/Huntington Business Improvement District Association – the business area known as Huntington Village;

Huntington Station Business Improvement District Association – the Huntington Station business area along New York Avenue

East Northport Chamber of Commerce – the business area along Larkfield Road; and

WHEREAS, the East Northport Chamber of Commerce has also requested permission to display a Menorah and Nativity Scene at the Northport Railroad Station; and

WHEREAS, the subjects of this resolution are not an action as defined by 6 NYCRR §617.2 (b) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY WAIVES parking meter fees in the downtown shopping area known as Huntington Village (as defined in the Business Improvement District) for the period beginning November 25, 2011 and ending December 31, 2011; and

HEREBY AUTHORIZES the Huntington Township Chamber of Commerce and Huntington Village Business Improvement District Association, the Huntington Station Business Improvement District Association and the East Northport Chamber of Commerce to install and maintain holiday type lights in their business areas during the holiday season for the period beginning November 25, 2011 and ending December 31, 2011; subject to any rules, regulations, charges and/or permits required by the Long Island Power Authority (LIPA); and

HEREBY AUTHORIZES the East Northport Chamber of Commerce to place a Menorah and Nativity Scene on Town Property located at the Northport Railroad Station for the period beginning November 25, 2011 and ending December 31, 2011.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-523

ENACTMENT: ADOPT THE ASSESSMENT ROLL FOR THE HUNTINGTON
SEWER DISTRICT

Resolution For Town Board Meeting Dated: November 9, 2011

The following Resolution was offered by: **COUNCILMAN CUTHBERTSON**

And seconded by: **SUPERVISOR PETRONE**

WHEREAS, Town Board Resolution 2011-447 scheduled a public hearing on the assessment roll for the Huntington Sewer District for the 11th day of October, 2011; and

WHEREAS, the assessment roll and proposed budget for the Huntington Sewer District has been on file in the Office of the Huntington Town Clerk for public inspection; and

WHEREAS, in compliance with Town law §239 and applicable law, no less than ten (10) and no more than twenty (20) days before the public hearing on the assessment roll, a notice of completed assessment roll and public hearing on such roll was published at least once in a newspaper published within the Town; and

WHEREAS, in compliance with Town law §239 and applicable law, the notice of completed assessment roll and public hearing was mailed to each owner of taxable property in the Huntington Sewer District; and

WHEREAS, notarized affidavits of service of mailing and the names and address to whom the notice was mailed are on file in the Office of the Town Clerk; and

WHEREAS, a determination on the assessment roll pursuant to Town Law §202-a and Town law §239 is not an action pursuant to 6 N.Y.C.R.R. §617.2(b) and therefore, no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD, having held a public hearing on the 11th day of October, 2011, and due deliberation having been had,

HEREBY ADOPTS the assessment roll for the Huntington Sewer District, and directs that a copy of this resolution and the adopted assessment roll be filed with the Huntington Town Clerk forthwith.

2011- 523

VOTE: AYES: 4 NOES: 1 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	NO

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-524

ENACTMENT: ADOPT THE ASSESSMENT ROLL FOR THE CENTERPORT
SEWER DISTRICT

Resolution For Town Board Meeting Dated: November 9, 2011

The following Resolution was offered by: **SUPERVISOR PETRONE**

And seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, Town Board Resolution 2011-448 scheduled a public hearing on the assessment roll for the Centerport Sewer District for the 11th day of October, 2011; and

WHEREAS, the assessment roll and proposed budget for the Centerport Sewer District has been on file in the Office of the Huntington Town Clerk for public inspection; and

WHEREAS, in compliance with Town law §239 and applicable law, no less than ten (10) and no more than twenty (20) days before the public hearing on the assessment roll, a notice of completed assessment roll and public hearing on such roll was published at least once in a newspaper published within the Town; and

WHEREAS, in compliance with Town law §239 and applicable law, the notice of completed assessment roll and public hearing was mailed to each owner of taxable property in the Centerport Sewer District; and

WHEREAS, notarized affidavits of service of mailing and the names and address to whom the notice was mailed are on file in the Office of the Town Clerk; and

WHEREAS, a determination on the assessment roll pursuant to Town Law §202-a and Town law §239 is not an action pursuant to 6 N.Y.C.R.R. §617.2 and therefore, no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD, having held a public hearing on the 11th day of October, 2011, and due deliberation having been had,

HEREBY ADOPTS the assessment roll for the Centerport Sewer District, and directs that a copy of this resolution and the adopted assessment roll be filed with the Huntington Town Clerk forthwith.

2011-524

VOTE: AYES: 4 NOES: 1 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	NO

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-525

ENACTMENT: AMEND THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.
RE: GREENLAND DRIVE, HUNTINGTON STATION, NO STANDING RESTRICTION

Resolution for Town Board Meeting Dated: November 9, 2011

The following resolution was offered by: **COUNCILWOMAN JACKSON**

and seconded by: **COUNCILMAN CUTHBERTSON**

THE TOWN BOARD having held a public hearing on the 11th day of October, 2011, to consider amending the Uniform Traffic Code of the Town of Huntington, and due deliberation having been had,

HEREBY AMENDS

the Uniform Traffic Code of the Town of Huntington, Chapter 3, Parking Regulations; Article II, Parking, Standing, and Stopping Restrictions; §3-3, Designation of Areas and Restrictions; Schedule J.

	<u>NAME OF STREET/SIDE LOCATION</u>	<u>REGULATION</u>	<u>HOURS/DAYS</u>
ADD:	Greenland Drive/North From 45 ft. east of New York Ave. (East Service Rd.) to New York Ave. (East Service Rd.) (HUS)	No Standing	-----
	Greenland Drive/South From New York Ave. (East Service Rd.) east for 45 ft. (HUS)	No Standing	-----

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark L. Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 22-2011 AMENDING THE CODE OF THE TOWN OF HUNTINGTON CHAPTER 87 (BUILDING CONSTRUCTION), ARTICLE III (BUILDING PERMITS), ARTICLE IV (CERTIFICATES OF OCCUPANCY AND OF PERMITTED USE), AND ARTICLE VI (ADMINISTRATION AND ENFORCEMENT)

Resolution for Town Board Meeting dated: November 9, 2011

The following resolution was offered by: **COUNCILMAN CUTHBERTSON**

and seconded by: **COUNCILMAN MAYOKA**

THE TOWN BOARD having held a public hearing on the 11th day of October, 2011 at 6:00 p.m. to consider adopting Local Law Introductory No. 22-2011 amending the Code of the Town of Huntington, Chapter 87 (Building Construction), Article III (Building Permits), Article IV (Certificates of Occupancy and of Permitted Use), and Article VI (Administration and Enforcement), and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 22-2011 amending the Code of the Town of Huntington, Chapter 87 (Building Construction), Article III (Building Permits), Article IV (Certificates of Occupancy and of Permitted Use), and Article VI (Administration and Enforcement); as follows:

LOCAL LAW NO. 30 -2011
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 87 (BUILDING CONSTRUCTION), ARTICLE III (BUILDING PERMITS),
ARTICLE IV (CERTIFICATES OF OCCUPANCY AND OF PERMITTED USE),
AND ARTICLE VI (ADMINISTRATION AND ENFORCEMENT)

Section 1. Amendment to Chapter 87 (Building Construction) of the Code of the Town of Huntington, Article III (Building Permits), Article IV (Certificates of Occupancy and of Permitted Use), and Article VI (Administration and Enforcement); as follows:

CHAPTER 87
(BUILDING CONSTRUCTION)

* * *
ARTICLE III
(BUILDING PERMITS)

* * *

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§87-24.1 Procedure for Revocation. A building permit may be revoked in the same manner as a Certificate of Occupancy or Permitted Use, except if the basis for the revocation is §87-24(B) in which case such revocation shall be effective upon a mailing advising the property owner, his agent, or person in charge of the property that the permit is revoked and the reason(s) thereof. Such mailing shall be accomplished by regular and certified mail, return receipt requested, and addressed to the last known address of the proposed recipient.

ARTICLE IV CERTIFICATES OF OCCUPANCY AND OF PERMITTED USE

§87-26. [§ 87-32.] Temporary certificate of occupancy.

Upon request, the [building official] Director of Engineering Services or his designee may issue a temporary certificate of occupancy for a building or structure or part thereof before the entire work covered by the building permit [shall have] has been completed, provided such portion or portions as have been completed may be occupied safely without endangering life, property, or the public health or welfare. A temporary certificate of occupancy shall remain effective for a period not exceeding three (3) months from [its] the date of issuance. For good cause shown, the [building official] Director may [allow a maximum of] approve an extension of no more than one (1) additional period of three (3) months.

§87-27. [§87-26]. Change of use or occupancy.

* * *

§87-28. [§87-27.] Application; requirements.

A. An application for a building permit shall include an application for a certificate of occupancy and/or certificate of permitted use. The certificate shall be issued when the Building Inspector determines that the completed building or structure complies with the provisions of all applicable laws and the required on-site improvements have been completed, inspected and found to be satisfactory.

* * *

[§87-28.] [(Reserved)]

* * *

[§87-30.] [(Reserved)]

§87-30. [§87-31.] Revocation of certificate.

* * *

§87-32. [§87-33.] Suspension of certificate.

* * *

[§87-34.] [Appeal of determination.]

- [A.] [A property owner whose certificate has been revoked may appeal the decision of the Director to a court of competent jurisdiction.]
- [B.] [A property owner whose certificate has been suspended may appeal the decision of the Director by filing an appeal in the Department of Engineering Services within thirty (30) days of receipt of such suspension. The appeal shall be in writing and may include such information as may be deemed necessary by the owner. All appeals shall be accompanied by an administrative fee of seventy-five (\$75) dollars.]
- [C.] [Appeals shall be referred to the Zoning Violations Bureau for review and final determination in accordance with the procedures provided in Chapter 198.]
- [D.] [Nothing contained in this article is intended to prohibit the Town of Huntington from pursuing other penalties, whether criminal or civil, as provided in this chapter.]

§87-33. Notice of Revocation or Suspension of Certificate.

(A) Prior to the revocation or suspension of a certificate, the Director or his designee shall prepare a report outlining the reason(s) for the proposed revocation or suspension of the certificate. A copy of the report shall be mailed to the property owner at the address shown on the most current assessment roll maintained by the Town Assessor, or to his agent, or person-in-charge of the property, together with a Notice of Hearing which shall contain the following:

(1) A description of the property.

(2) In the case of a proposed suspension, a description of the unsafe, unsanitary or dangerous condition, and the portion(s) of the land, structure, staging or building that must be secured or repaired, or demolished and removed. A statement that the remediation or abatement must commence immediately upon the service of the notice and completed within a specified date. Such period may be extended for good cause shown, as long as it can be demonstrated that remedial measures have been started and the delay is not under the control of or due to the actions of the person to whom the notice was issued. A statement that in the event of the failure or refusal of the person to whom the Notice is issued to bring the property into compliance by the date on the Notice or approved date of extension, an administrative hearing will be held on the issue of suspension of the certificate.

(3) The date, time and place of the scheduled administrative hearing before either the Town Board or an Administrative Hearing Officer to determine whether the certificate should be revoked or suspended.

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(B) Amendment, modification or withdrawal. The Director or his designee may amend, modify or withdraw any Notice issued if, in his judgment, the circumstances warrant such action provided the amended or modified Notice is served as provided in (C) herein within five (5) days of service of the original Notice, and a hearing has not occurred.

(C) Service of the Notice. The Notice of Hearing and Report shall be served either personally in accordance with the CPLR; or by registered or certified mail, return receipt requested, and by regular mail; addressed to the property owner at the last address shown on the most current assessment roll of the Town Assessor, or to the owner's agent at the last known address, or person-in-charge of the property.

§87-34. Administrative hearing. An administrative hearing may be held before the Huntington Town Board or a duly appointed Administrative Hearing Officer, at the option of the Town. Hearings may be adjourned only upon good cause shown.

(A) Town Board Action. The Town Board may consider the report and accept or reject, in whole or in part, the findings and recommendations of the Director or his designee with or without conditions as it deems advisable. The Town Board shall render its findings and determination no later than the next regularly scheduled Town Board meeting following the public hearing and may make a determination on the same day as the hearing. A copy of the Town Board resolution shall be mailed by the Town Attorney to the person(s) named in the original Notice by regular mail and by registered or certified mail, return receipt requested. The decision of the Town Board shall be filed with the Huntington Town Clerk and shall be final.

(B) Administrative Hearing Officer. The Hearing Officer may consider the evidence and shall submit his or her findings and recommendations to the Director for ultimate determination. A copy of the Hearing Officer's report shall be filed with the Town Clerk and served in the same manner as the Notice of Hearing. Such mailing shall include a statement that the recipient has five (5) days from receipt of the report to submit to the Director his written objections to the Hearing Officer's findings and recommendations. The Director shall consider the written objections and the Hearing Officer's report, and may adopt or reject, in whole or in part any portion thereof as he or she deems advisable or necessary under the circumstances. The Director's determination shall be final, and shall be filed in the Office of the Huntington Town Clerk and mailed to the person(s) to whom the original Notice was served by regular mail and by registered or certified mail, return receipt requested.

(C) Conduct of hearings. At the administrative hearing the person to whom a Notice has been issued shall be entitled to be represented by legal counsel and provided with an opportunity to be heard. He may present the testimony of witnesses, experts and other evidence in his own behalf as he deems necessary and relevant to the subject matter of the hearing. All hearings shall be recorded.

[§87-35.] [(Reserved)]

§87-35. Action upon non-appearance or non-compliance. Upon the failure, neglect or refusal of the owner, his agent, or person-in-charge of the property to appear at the administrative hearing; or to abate the hazardous condition; or if the mailing is returned by the Post Office because of the inability to make delivery for any reason, as long as the Notice was properly addressed, at the election of the Director the certificate may be revoked or suspended for the reasons set forth in the Director's original report. The Director's determination shall be final, and shall be filed in the Office of the Huntington Town Clerk and mailed to the person(s) to whom the original Notice was served by regular mail and by registered or certified mail, return receipt requested.

* * *

ARTICLE VI ADMINISTRATION AND ENFORCEMENT

* * *

§87-45. Penalties for offenses. The Town Board intends to exercise its authority under § 10(1)(i) and (ii)(a)(6), (a)(11) and (a)(12); § 10(1)(ii)(d)(3); and § 10(4)(b) of the Municipal Home Rule Law, § 268(1) of the Town Law and any other applicable provision of law now or hereinafter enacted, to supersede and/or expand upon the applicable provisions of § 268(1) of the Town Law, and any other applicable or successor law pertaining to the enforcement of local laws and ordinances in order to impose a penalty and fine structure that best reflects the needs of the community.

* * *

(B) Notwithstanding the provisions of § 87-45(A), any person or business entity who is the owner or is in charge of property where a violation of § 87-25(A) or (B), §87-14(A), or §87-26 has been committed or exists, or who commits an offense against the provisions of § 87-25(A) or (B), § 87-14(A) or §87-26, or has control of the property and permits such offense to exist shall upon conviction be guilty of a offense, punishable by a fine or penalty of not less than five hundred (\$500) dollars nor more than five thousand (\$5,000) dollars, or by imprisonment not exceeding fifteen (15) days, or by both such fine and imprisonment upon a conviction of a first offense; upon a conviction of a second offense, within a period of five (5) years of the first conviction, a fine of not less than two thousand (\$2,000) dollars nor more than ten thousand (\$10,000) dollars, or by imprisonment not exceeding fifteen (15) days, or by both such fine and imprisonment; and upon conviction of a third or subsequent offense, within a period of five (5) years of the first and second conviction, a fine of not less than four thousand (\$4,000) dollars nor more than fifteen thousand (\$15,000) dollars or by imprisonment not exceeding thirty (30) days, or by both such fine and imprisonment. Each day, or part thereof such violation continues, following notification by the Town or service of a summons, shall constitute a separate offense, punishable in like manner.

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[(B)] <u>(C)</u>	*	*	*
[(C)] <u>(D)</u>	*	*	*
[(D)] <u>(E)</u>	*	*	*
[(E)] <u>(F)</u>	*	*	*
[(F)] <u>(G)</u>	*	*	*
[(G)] <u>(H)</u>	*	*	*

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section or other part of this Local Law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalidated, such judgment shall not affect, impair or invalidate the remainder of this Local Law, and it shall be construed to have been the legislative intent to enact this Local Law without such unconstitutional, or invalid parts therein.

Section 3. Effective Date.

This Local Law shall take effect immediately upon filing in the Office of the Secretary of State of the State of New York.

ADDITIONS ARE INDICATED BY UNDERLINE.

* * * INDICATES NO CHANGE IN PRESENT TEXT.

DELETIONS ARE INDICATED BY [BRACKETS].

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DUTY ADOPTED.

2011-527

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 23-2011
AMENDING THE CODE OF THE TOWN OF HUNTINGTON CHAPTER 198
(ZONING), ARTICLE I (GENERAL PROVISIONS) AND ARTICLE XVIII
(ADMINISTRATION AND ENFORCEMENT)

Resolution for Town Board Meeting dated: November 9, 2011

The following resolution was offered by: **COUNCILWOMAN BERLAND**

and seconded by: **COUNCILMAN CUTHBERTSON**

THE TOWN BOARD having held a public hearing on the 11th day of October, 2011 at 6:00 p.m. to consider adopting Local Law Introductory No. 23-2011 to consider amending the Code of the Town of Huntington, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article I (General Provisions) and Article XVIII (Administration and Enforcement), and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 23-2011 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article I (General Provisions) and Article XVIII (Administration and Enforcement); as follows:

LOCAL LAW NO. 31 - 2011
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 198 (ZONING)
ARTICLE I (GENERAL PROVISIONS) AND
ARTICLE XVIII (ADMINISTRATION AND ENFORCEMENT)

Section 1. Chapter 198 (Zoning), Article I (General Provisions) and Article XVIII (Administration and Enforcement), are hereby amended as follows:

CHAPTER 198
ZONING

ARTICLE I
GENERAL PROVISIONS

* * *

§198-2. Definitions and word usage.

* * *

B. Definitions. For the purpose of this chapter, the following terms and phrases shall have the meanings indicated:

* * *

ACCESSORY APARTMENT -- A part of a single-family dwelling consisting of a room or a group of rooms intended or used as a residence by an individual or a group of individuals, and is the subject of a valid accessory apartment permit issued by the Town of Huntington.

* * *

APARTMENT -- A part of a building [containing cooking and housekeeping facilities,] consisting of a room or suite of rooms intended, designed or used as a residence by an individual or [single family.] group of individuals, and containing cooking facilities including but not limited to one or more of the following: an oven, convection oven, stove, stove top, microwave, toaster oven, hot plate and similar devices used for cooking and/or heating food.

* * *

ARTICLE XVIII ADMINISTRATION AND ENFORCEMENT

§198-119. Building permit required. It shall be unlawful to construct, alter, repair, modify, remove or demolish, or to cause the construction, alteration, repair, modification, removal or demolition of a building or structure; or to own a building or structure which has been constructed, altered, repaired, modified, removed, or demolished, in whole or in part, without a permit having been issued by the Department of Engineering Services. Any permit issued may be revoked as provided in §87-24 and §87-24.1 of the Huntington Town Code.

§198-120. Certificate Required.

* * *

C. It shall be unlawful to [No person, corporation, company, partnership or other business entity shall] collect, deposit, receive or transact to receive monies or other consideration for the use and/or occupancy of any commercial building being utilized for housing, residential dwelling, apartment, house, building or structure, that does not possess a certificate of occupancy, certificate of permitted use, rental permit or other municipal authorization for such use and/or occupancy.

* * *

E. No change, modification, alteration or extension of a nonconforming use shall be made until a certificate of permitted use has been issued, and no change, modification, alteration or extension of a nonconforming building, structure or premises shall be made until the appropriate permit has been issued. Any person or business entity who commits an offense against this section shall be deemed in violation of this chapter.

F. Any certificate or permit issued can be revoked by the Director of Engineering Services or his/her designee[, in accordance with § 87-24 or § 87-31 of the Huntington

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Town Code] on the same basis and in the same manner as set forth in Chapter 87 of the Huntington Town Code.

* * *

§198-125. Penalties for offenses. The Town Board intends to exercise its authority under [§10(1)6)] §10(1)(i) and (ii)(a)(6), (a)(11) and (a)(12); § 10(1)(ii)(d)(3); and §10(4)(b) of the Municipal Home Rule Law, § 268(1) of the Town Law and any other applicable provision of law now or hereinafter enacted, to supersede and/or expand upon the applicable provisions of §268(1) of the Town Law, and any other applicable or successor law pertaining to the enforcement of local laws and ordinances in order to impose a penalty and fine structure that best reflects the needs of the community.

* * *

(B) Any person or business entity who is the owner or is in charge of property where a violation of §198-120(A), (B), (C), (D) or (E), or §198-119 has been committed or exists, or who commits an offense against the provisions of §198-120(A), (B), (C), (D) or (E), or §198-119, or has control of the property and permits such offense to exist shall upon conviction be guilty of an offense, punishable by a fine or penalty of not less than five hundred (\$500) dollars nor more than five thousand (\$5,000) dollars, or by imprisonment not exceeding fifteen (15) days, or by both such fine and imprisonment upon a conviction of a first offense; upon a conviction of a second offense, within a period of five (5) years of the first conviction, a fine of not less than two thousand (\$2,000) dollars nor more than ten thousand (\$10,000) dollars, or by imprisonment not exceeding fifteen (15) days, or by both such fine and imprisonment; and upon conviction of a third or subsequent offense, within a period of five (5) years of the first and second conviction, a fine of not less than four thousand (\$4,000) dollars nor more than fifteen thousand (\$15,000) dollars or by imprisonment not exceeding thirty (30) days, or by both such fine and imprisonment. Each day, or part thereof such violation continues, following notification by the Town or service of a summons, shall constitute a separate offense, punishable in like manner.

[(B)] (C) * * *

[(C)] (D) * * *

[(D)] (E) * * *

[(E)] (F) * * *

* * *

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section or other part of this Local Law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalidated, such judgment shall not affect, impair or

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invalidate the remainder of this Local Law, and it shall be construed to have been the legislative intent to enact this Local Law without such unconstitutional, or invalid parts therein.

Section 3. Effective Date.

This Local Law shall take effect immediately upon filing in the Office of the Secretary of State of the State of New York.

ADDITIONS ARE INDICATED BY UNDERLINE.

* * * INDICATES NO CHANGE IN PRESENT TEXT.

DELETIONS ARE INDICATED BY [BRACKETS].

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DUTY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER AMENDING
THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 2,
ARTICLE II, §2-3, SCHEDULE C.

RE: FIFTH AVENUE, EAST NORTHPORT, DRIVEWAY - PROHIBITED TURNS.

Resolution for Town Board Meeting Dated: November 9, 2011

The following resolution was offered by: **COUNCILMAN CUTHBERTSON**

and seconded by: **COUNCILMAN MAYOKA, COUNCILWOMAN JACKSON**

WHEREAS, amendments to the Uniform Traffic Code of the Town of Huntington regarding turning restrictions are classified as Type II actions pursuant to SEQRA, 6 N.Y.C.R.R. §617.5 (c)16(c)(20) and (c)27, and therefore, no further SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY SCHEDULES A PUBLIC HEARING for the **13th** day of **December**, 2011, at **7:00** p.m. at Town Hall, 100 Main Street, Huntington, New York, to consider amending the Uniform Traffic Code of the Town of Huntington, as follows:

Under Chapter 2, Traffic Regulations; Article II, Turning Movements; §2-3, Prohibited Turns; Schedule C.

<u>LOCATION</u>	<u>CONTROLLING TRAFFIC</u>	<u>PROHIBITED TURN</u>	<u>HOURS/ DAYS</u>
ADD: Driveway on north side of 5 th Avenue 110 feet west of Furwood Drive (ENP)	South from driveway	Left	7:30 a.m. to 9:30 a.m., 3:00 p.m. to 4:00 p.m. School Days

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2011-529

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO A
TEMPORARY OCCUPANCY AGREEMENT WITH HASA CONSTRUCTION LLC

Resolution for Town Board Meeting dated: November 9, 2011

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN JACKSON, COUNCILWOMAN BERLAND**

WHEREAS, HASA Construction LLC is under contract with the New York State Department of Transportation to perform drainage and roadway improvements under Contract #D261568 located in Halesite, New York and has requested the use of space at the former Naval Reserve located between Creek Road and Mill Dam Road as a temporary staging area for materials and equipment during their operations. The space requested is 200 SF x 450 SF bounded by Creek Road and Mill Dam Road and a fair market rental rate shall be charged to HASA. The expected term is twenty-four (24) months in duration, at the end thereof HASA shall restore the property to its original condition as it was prior to their usage; and

WHEREAS, there is a need for HASA to commence staging and construction for the project as soon as possible; and

WHEREAS, the Town Board is desirous of making said space available to HASA Construction LLC to facilitate their operations and drainage and roadway improvements within the Town; and

WHEREAS, a public hearing will be scheduled to authorize the Supervisor to enter into a license agreement; and

WHEREAS, the execution of an agreement is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(20) and, therefore, no further SEQRA review is required.

NOW, THEREFORE,

THE TOWN BOARD

BE IT RESOLVED that the Supervisor is authorized to enter into a temporary occupancy agreement with HASA Construction LLC for the use of Town land located at Creek Road

2011- 529

and Mill Dam Road (former Naval Reserve) and on such other terms and conditions as may be acceptable to the Town Attorney.

VOTE:	AYES: 5	NOES: 0	ABSTENTIONS: 0
Supervisor Frank P. Petrone			AYE
Councilwoman Susan A. Berland			AYE
Councilman Mark A. Cuthbertson			AYE
Councilwoman Glenda A. Jackson			AYE
Councilman Mark Mayoka			AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-530

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER
AUTHORIZING THE SUPERVISOR TO ENTER INTO A LICENSE AGREEMENT
WITH HASA CONSTRUCTION LLC

Resolution for Town Board Meeting dated: November 9, 2011

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND, COUNCILWOMAN JACKSON**

WHEREAS, HASA Construction LLC is under contract with the New York State Department of Transportation to perform drainage and roadway improvements under Contract #D261568 located in Halesite, New York and has requested the use of space at the former Naval Reserve located between Creek Road and Mill Dam Road as a temporary staging area for materials and equipment during their operations. The space requested is 200 SF x 450 SF bounded by Creek Road and Mill Dam Road and a fair market rental rate shall be charged to HASA. The expected term is twenty-four (24) months in duration, at the end thereof HASA shall restore the property to its original condition as it was prior to their usage; and

WHEREAS, the Town Board is desirous of making said space available to HASA Construction LLC to facilitate their operations and drainage and roadway improvements within the Town; and

WHEREAS, the scheduling of a public hearing is a Type II action pursuant to 6 N.Y.C.R.R. §617.2(b) and, therefore, no further SEQRA review of the scheduling of the public hearing is required.

NOW, THEREFORE,

THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the 13 day of ~~December~~ 2011, at 7:00pm at Town Hall, 100 Main Street, Huntington, NY to consider authorizing the Supervisor to execute a License Agreement with HASA Construction LLC for the use of Town land located at Creek Road and Mill Dam Road (former Naval Reserve) for a term of twenty-four (24) months at a rental rate of \$2,000 per month and an extension, at the option of

the Town, for an additional twelve (12) months, if necessary, and commencing on the date of the execution, and on such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NUMBER 29 - 2011 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198 (ZONING), ARTICLE VI (HISTORIC LANDMARKS AND DISTRICTS), SECTION 42 (DESIGNATION OF SITES AND BUILDINGS), TO REVOKE THE DESIGNATION AS AN HISTORIC LANDMARK OF THE BUILDING AND PROPERTY KNOWN AS THE BUNCE-ZOELLER HOUSE, 129 CENTERSHORE ROAD, CENTERPORT.

Resolution for Town Board Meeting dated: November 9, 2011

The following resolution was offered by: **COUNCILMAN CUTHBERTSON**

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Bunce-Zoeller House, 129 Centershore Road, Centerport, was designated as an historic landmark by the Town Board on September 23, 1997, and the property description was later revised on January 8, 2002 by Local Law No. 1-2002; and

WHEREAS, the Historic Preservation Commission has submitted an advisory report dated October 26, 2011, recommending that the designation be revoked since there are no longer any historical features in the building due to significant alterations over the years to repair damage; and

WHEREAS, the designation of historical landmarks is a Type II action requiring no review in accordance with 6 NYCRR Part 617.5(c)(32) of the SEQRA regulations;

NOW THEREFORE THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the **13th** day of **December**, 2011 at **7:00** p.m. at Town Hall, 100 Main Street Huntington, New York, to consider adopting Local Law Introductory Number 29 - 2011 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article VI (Historic Landmarks and Districts), Section 42 (Designation of Sites and Buildings), to revoke the designation as an historic landmark of the buildings and property known as the Bunce-Zoeller House, 129 Centershore Road, Centerport, described as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON AS FOLLOWS:

LOCAL LAW INTRODUCTORY NO. 29 - 2011
AMENDING THE CODE OF THE TOWN OF HUNTINGTON CHAPTER 198
(ZONING) ARTICLE VI (HISTORIC LANDMARKS AND DISTRICTS) SECTION 42
(DESIGNATION OF SITES AND BUILDINGS)

Section 1. Amendment to Chapter 198 (Zoning), Article VI (Historic Landmarks and Districts), Section 42 (Designation of Sites and Buildings) of the Code of the Town of Huntington is hereby amended to read as follows:

CHAPTER 198 (ZONING)
ARTICLE VI (HISTORIC LANDMARKS AND DISTRICTS)
SECTION 42 (DESIGNATION OF SITES AND BUILDINGS)

* * *

§198-42. Designation of Sites and Buildings

* * *

B. Each of the following buildings or landmarks is hereby defined and designated by the Town Board as an historic building, site or landmark, and each shall be appropriately delineated by metes and bounds and/or by the section, block and lot number of the Suffolk County Tax Map and/or street address:

* * *

(84) (Reserved) [Bunce-Zoeller House, 129 Centershore Road, Centerport, containing approximately .20 acres (SCTM# 0400-039-06-080.002).]

* * *

Section 2. Severability

If any clause, sentence, paragraph, subdivision, section or other part of this local law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair, or invalidate the remainder of this local law, and it shall be construed to have been the legislative intent to enact this local law without such unconstitutional or invalid parts therein.

Section 3. Effective Date

This Local Law shall take effect immediately upon filing in the Offices of the Secretary of State of New York.

* * * INDICATES NO CHANGE TO PRESENT TEXT
ADDITIONS ARE INDICATED BY UNDERLINE
DELETIONS ARE INDICATED BY [BRACKETS]

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NUMBER 30 - 2011 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198 (ZONING), ARTICLE VI (HISTORIC LANDMARKS AND DISTRICTS), §198-42 (DESIGNATION OF SITES AND BUILDINGS), TO DESIGNATE AS AN HISTORIC LANDMARK THE BUILDING AND PROPERTY KNOWN AS THE OLD HALF HOLLOW SCHOOLHOUSE, 5 SEAMAN NECK ROAD, DIX HILLS.

Resolution for Town Board Meeting dated: November 9, 2011

The following resolution was offered by: **COUNCILWOMAN BERLAND**

and seconded by: **SUPERVISOR PETRONE, COUNCILWOMAN JACKSON**

WHEREAS, the Historic Preservation Commission has petitioned the Town Board for the historic designation of the building and property known as the Old Half Hollow Schoolhouse, 5 Seaman Neck Road, Dix Hills, and the Commission and the Department of Planning and Environment have prepared reports in accordance with the Code of the Town of Huntington §198-40.3; and

WHEREAS, designating historical landmarks is a Type II action requiring no review in accordance with 6 NYCRR Part 617.5(c)(32) of the SEQRA regulations;

NOW THEREFORE THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the **13th** day of **December**, 2011 at **7:00** p.m. at Town Hall, 100 Main Street Huntington, New York, to consider adopting Local Law Introductory Number 30 - 2011 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article VI (Historic Landmarks and Districts), §198-42 (Designation of Sites and Buildings), to designate as an historic landmark the building and property known as the Old Half Hollow Schoolhouse, 5 Seaman Neck Road, Dix Hills, described as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON AS FOLLOWS:

LOCAL LAW INTRODUCTORY NO. 30 - 2011
AMENDING THE CODE OF THE TOWN OF HUNTINGTON CHAPTER 198
(ZONING) ARTICLE VI (HISTORIC LANDMARKS AND DISTRICTS)
§198-42 (DESIGNATION OF SITES AND BUILDINGS)

Section 1. Amendment to Chapter 198 (Zoning), Article VI (Historic Landmarks and Districts), §198-42 (Designation of Sites and Buildings) of the Code of the Town of Huntington is hereby amended to read as follows:

CHAPTER 198 (ZONING)
ARTICLE VI (HISTORIC LANDMARKS AND DISTRICTS)
§198-42 (DESIGNATION OF SITES AND BUILDINGS)

§198-42. Designation of Sites and Buildings

* * *

B. Each of the following buildings or landmarks is hereby defined and designated by the Town Board as an historic building, site or landmark, and each shall be appropriately delineated by metes and bounds and/or by the section, block and lot number of the Suffolk County Tax Map and/or street address:

* * *

() Old Half Hollow Schoolhouse, 5 Seaman Neck Road, Dix Hills, SCTM# 0400-275-02-143.

* * *

Section 2. Severability

If any clause, sentence, paragraph, subdivision, section or other part of this local law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair, or invalidate the remainder of this local law, and it shall be construed to have been the legislative intent to enact this local law without such unconstitutional or invalid parts therein.

Section 3. Effective Date

This Local Law shall take effect immediately upon filing in the Offices of the Secretary of State of New York.

*** INDICATES NO CHANGE TO PRESENT TEXT
ADDITIONS ARE INDICATED BY UNDERLINE
DELETIONS ARE INDICATED BY [BRACKETS]

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NUMBER 31 -2011, CONSIDERING ZONE CHANGE APPLICATION #2011-ZM-387, KNOWN AS THE RESIDENCES AT OHEKA CASTLE, TO CHANGE THE ZONING FROM R-80, R-40, R-20 & R-10 RESIDENCE DISTRICTS AND C-6 GENERAL BUSINESS DISTRICT TO R-OSC RESIDENCE - OPEN SPACE CLUSTER DISTRICT FOR THE PROPERTY LOCATED ON THE WEST SIDE OF EAST GATE DRIVE, NORTH OF COLONIAL DRIVE, WEST HILLS, SCTM# 0400-188-01-(001, 002, 003, 004, 005, 021.001, 023.001, 024.001, 024.002, 025.001, 057.001, 109 & 126) AND 0400-132-04-(007, 008 & 009).

Resolution for Town Board Meeting dated: November 9, 2011

The following resolution was offered by: **SUPERVISOR PETRONE, COUNCILMAN CUTHBERTSON**
and seconded by: **COUNCILMAN MAYOKA, COUNCILWOMAN BERLAND**

WHEREAS, COLD SPRING HILLS DEVELOPMENT, LLC, 135 West Gate Dr., Huntington, NY 11743, applicant, submitted application #2011-ZM-387 for a change of zone from R-80, R-40, R-20 & R-10 Residence Districts and C-6 General Business District to R-OSC Residence – Open Space Cluster District for property located on the west side of West Gate Dr., north of Colonial Dr., West Hills, designated as 0400-188-01-(001, 002, 003, 004, 005, 021.001, 023.001, 024.001, 024.002, 025.001, 057.001, 109 & 126) and 0400-132-04-(007, 008 & 009) on the Suffolk County Tax Map; and

WHEREAS, said application was forwarded to the Department of Planning and Environment by the Town Board for study and recommendation under the applicable provisions of Huntington Town Code §198-127, and pursuant to the New York State Environmental Conservation Law, Article 8, State Environmental Quality Review Act (SEQRA), 6 NYCRR Part 617; and

WHEREAS, this action meets the criteria of a Type I Action in accordance with SEQRA, 6 NYCRR Part 617.4(b)(9), for being adjacent to a property (Oheka Castle) on the National Register of Historic Places; and

WHEREAS, the Town Board has coordinated the EAF Part I submitted with the application with all involved and interested agencies, and since no objections have been received and thirty (30) days has elapsed, the Town Board has now been established as Lead Agency; and

WHEREAS, following the submission of the application and the SEQRA coordination, the applicant submitted a voluntary Draft Environmental Impact Statement (VDEIS) which will be treated as an Expanded Environmental Assessment Form (EEAF) for SEQRA purposes in accordance with 6 NYCRR Part 617.6(a)(4); and

WHEREAS, pursuant to the SEQRA regulations, the scheduling of a public hearing to consider amending the Code of the Town of Huntington is not an action, so the SEQRA review is not required to be completed at this time;

NOW THEREFORE BE IT

RESOLVED, the Town Board directs the Department of Planning and Environment to coordinate the Expanded Environmental Assessment Form (EEAF) with all involved and interested agencies in order to assure a thorough SEQRA review; and be it further

RESOLVED, the Town Board hereby schedules a public hearing for the 13th day of December, 2011, at 7:00 PM to consider adopting Local Law Introductory No. 31 -2011 amending the "Amended Zoning Map of the Town of Huntington", as referenced in Chapter 198 (Zoning), Article II (Zoning Districts; Map; General Regulations), §198-7 of the Huntington Town Code, thereby rezoning from R-80, R-40, R-20 & R-10 Residence Districts and C-6 General Business District to R-OSC Residence – Open Space Cluster District property designated on the Suffolk County Tax Map as 0400-188-01- (001, 002, 003, 004, 005, 021.001, 023.001, 024.001, 024.002, 025.001, 057.001, 109 & 126) and 0400-132-04-(007, 008 & 009), as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON AS FOLLOWS:

LOCAL LAW INTRODUCTORY NO. 31 - 2011
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 198 (ZONING)
ARTICLE II (ZONING DISTRICTS; MAP; GENERAL REGULATIONS)
SECTION 7 (ZONING MAP)

Section 1. The Code of the Town of Huntington, Chapter 198 (Zoning), Article II (Zoning Districts; Map; General Regulations), Section 7 (Zoning Map) is amended as follows:

CHAPTER 198 (ZONING)
ARTICLE II (ZONING DISTRICTS; MAP; GENERAL REGULATIONS)

* * *

§ 198-7 Zoning Map

The boundaries of the districts enumerated in §198-6 of this Chapter are hereby established as shown on the map designated as the "Amended Building Zone Map of the Town of Huntington." The said map, together with all notations, references and every other detail shown thereon shall be as much a part of this chapter as if the map and every other detail shown thereon was fully described therein. Section 198-55 contains symbols on the map for the aforesaid districts.

The premises located on the west side of East Gate Drive, north of Colonial Drive, West Hills, designated on the Suffolk County Tax Map as 0400-188-01-(001, 002, 003, 004, 005, 021.001, 023.001, 024.001, 024.002, 025.001, 057.001, 109 & 126) and 0400-132-04-(007, 008 & 009), to be rezoned from R-80, R-40, R-20 & R-10 Residence Districts and C-6 General Business District to R-OSC Residence – Open Space Cluster District, more particularly described in the attached Schedule "A".

*

*

*

Section 2. Severability

If any clause, sentence paragraph, subdivision, section or other part of this Local Law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair, or invalidate the remainder of this local law, and it shall be construed to have been the legislative intent to enact this local law without such unconstitutional or invalid parts therein.

Section 3. Effective Date

This Local Law shall take effect immediately upon filing in the Offices of the Secretary of State of New York.

* * * INDICATES NO CHANGE TO PRESENT TEXT.

ADDITIONS ARE INDICATED BY UNDERLINE.

DELETIONS ARE INDICATED BY [BRACKETS].

VOTE: AYES: 4 NOES: 1 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	NO
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

Schedule "A"

RECEIVED
TOWN CLERK
TOWN OF HUNTINGTON, NY

2011 JUL 11 P 3:54

SUGGESTED DESCRIPTION OF
PROPERTY SUBJECT TO A
REZONE, SITUATED AT
HUNTINGTON, TOWN OF
HUNTINGTON, COUNTY OF
SUFFOLK, STATE OF NEW YORK.

SCTM: DISTRICT 0400; SECTION 132; BLOCK 04; LOTS 7, 8, 9
DISTRICT 0400; SECTION 188; BLOCK 01; LOTS 1, 2, 5, 23.1,
24.1, 24.2, 57.1, 109, P/O 25.1

PARCEL A

BEGINNING at the southerly end of a curve connecting the northerly side of Colonial Drive with the easterly side of East Gate Drive.

RUNNING THENCE along the northerly side of Colonial Drive; Westerly along the arc of a circular curve bearing to the left, having a radius of 1,522.73 feet, and length of 144.23 feet;

THENCE the following fifteen (15) courses:

1. N 51° 05' 20" W, 65.79 feet;
2. S 80° 27' 50" W, 282.54 feet;
3. N 58° 38' 20" W, 167.61 feet;
4. N 75° 14' 10" W, 141.12 feet;
5. Northerly along the arc of a circular curve bearing to the left, having a radius of 50.00 feet, and a length of 157.08 feet;
6. S 73° 08' 05" W, 225.35 feet;
7. S 51° 43' 00" W, 48.42 feet;
8. S 23° 42' 50" W, 591.81 feet;
9. S 18° 09' 15" W, 75.14 feet;
10. S 07° 35' 10" W, 163.05 feet;
11. S 34° 34' 20" W, 105.82 feet;
12. S 02° 22' 50" W, 206.01 feet;
13. N 69° 23' 10" W, 586.17 feet;
14. S 18° 03' 30" W, 50.00 feet;
15. N 63° 45' 10" W, 233.25 feet tot the easterly side of West Gate Drive.

RECEIVED
JUL 15 2011
TOWN OF HUNTINGTON
DEPARTMENT OF PLANNING
& ENVIRONMENT

THENCE along said road line; the following two (2) courses:

1. Northerly along the arc of a circular curve bearing to the left, having a radius of 931.96 feet, and a length of 52.81 feet;
2. N 03° 42' 30" E, 426.54 feet;

THENCE the following seventeen (17) courses:

1. N 38° 06' 30" E, 498.44 feet;
2. N 24° 17' 10" E, 470.95 feet;
3. N 33° 14' 30" E, 117.55 feet;
4. N 50° 49' 50" E, 82.79 feet;
5. N 46° 18' 50" E, 398.77 feet;
6. N 43° 41' 10" W, 637.17 feet;
7. S 55° 10' 10" W, 196.00 feet;
8. S 34° 52' 30" W, 353.73 feet;
9. S 55° 07' 30" E, 25.00 feet;
10. S 32° 50' 20" W, 197.12 feet;
11. S 34° 52' 30" W, 264.15 feet;
12. S 87° 49' 10" W, 129.93 feet;
13. N 73° 58' 30" W, 223.01 feet;
14. N 65° 10' 05" W, 45.79 feet;
15. S 88° 37' 10" W, 301.10 feet;
16. S 02° 55' 40" E, 697.87 feet;
17. N 56° 20' 50" E, 461.70 feet to the southerly side of Whitewood Court.

2011 JUN 28 PM 3:54
 COUNTY OF CLATSOP
 CLERK OF COUNTY

THENCE along said road line; S 66° 32' 30" E, 275.13 feet;

THENCE the following three (3) courses:

1. S 28° 01' 40" W, 621.26 feet;
2. S 09° 45' 20" W, 148.26 feet;
3. N 84° 43' 30" E 390.31 feet; to the westerly side of West Gate Drive.

THENCE along said road; the following four (4) courses:

1. S 03° 42' 30" W, 191.68 feet;
2. Southerly along the arc of a circular curve bearing to the right, having a radius of 881.96 feet, and a length of 215.59 feet;
3. Southerly along the arc of a circular curve bearing to the right, having a radius of 168.75 feet, and a length of 149.60 feet;
4. S 68° 30' 30" W, 324.13 feet;

THENCE the following two (2) courses:

1. S 32° 29' 00" W, 553.40 feet;
2. N 73° 52' 50" W, 236± feet; to the county line;

THENCE in a northerly direction along said county line 3,078± feet;

THENCE the following nine (9) courses:

1. S 83° 29' 00" E, 128± feet;
2. N 80° 05' 00" E, 346.89 feet;
3. N 01° 57' 00" W, 159.32 feet;

4. N 03° 46' 00" W, 81.90 feet;
5. N 01° 16' 10" E, 150.00 feet;
6. N 44° 16' 10" E, 579.03 feet;
7. N 70° 37' 40" E, 58.11 feet;
8. S 47° 03' 10" E, 207.33 feet;
9. N 89° 46' 10" E, 204.03 feet; to the easterly side of East Gate Drive.

THENCE along said road line; Southerly along the arc of a circular curve bearing to the left, having a radius of 483.00 feet, and a length of 107.37 feet;

THENCE the following seven (7) courses:

1. N 49° 50' 50" E, 50.00 feet;
2. S 40° 09' 10" E, 29.99 feet;
3. Northerly along the arc of a circular curve bearing to the right, having a radius of 20.17 feet, and a length of 36.65 feet;
4. S 68° 15' 40" E, 872.84 feet;
5. N 28° 50' 20" E, 100.05 feet;
6. S 75° 09' 00" E, 139.00 feet;
7. N 11° 15' 30" E, 149.85 feet; to the southerly side of Green Meadow Lane.

THENCE along said road line; the following four (4) courses:

1. Easterly along the arc of a circular curve bearing to the left, having a radius of 1,435.00 feet, and a length of 77.68 feet;
2. Easterly along the arc of a circular curve bearing to the right, having a radius of 600.00 feet, and a length of 184.62 feet;
3. S 66° 30' 00" E, 300.04 feet;
4. Southerly along the arc of a circular curve bearing to the right, having a radius of 109.79 feet, and a length of 117.62 feet; to the westerly side of Forestdale Drive.

THENCE along said road line; the following three (3) courses:

1. Southerly along the arc of a circular curve bearing to the left, having a radius of 597.03 feet, and a length of 83.36 feet;
2. S 13° 07' 10" E, 650.01 feet;
3. Southerly along the arc of a circular curve bearing to the left, having a radius of 260.00 feet, and a length of 157.92 feet;

THENCE the following four (4) courses:

1. S 46° 13' 30" W, 84.07 feet;
2. S 15° 06' 20" E, 106.15 feet;
3. S 01° 50' 10" E, 462.89 feet;
4. S 35° 47' 50" W, 210.74 feet; to the northerly side of East Gate Drive.

THENCE along said road line; the following five (5) courses:

1. N 38° 46' 10" W, 318.90 feet;
2. N 40° 35' 10" W, 377.42 feet;
3. N 38° 19' 10" W, 190.07 feet;
4. N 33° 42' 40" W, 89.20 feet;
5. N 53° 31' 00" W, 128.02 feet;

THENCE the following ten (10) courses:

1. N 58° 15' 20" E, 415.75 feet;
2. N 25° 46' 20" W, 103.77 feet;
3. N 00° 07' 50" W, 81.94 feet;
4. S 89° 23' 50" W, 117.75 feet;
5. N 14° 32' 30" W, 33.34 feet;
6. N 34° 16' 40" W, 19.01 feet;
7. N 71° 04' 20" W, 19.01 feet;
8. S 89° 22' 10" W, 246.13 feet;
9. N 69° 35' 00" W, 471.80 feet;
10. S 78° 56' 00" W, 57.28 feet; to the westerly side of East Gate Drive.

THENCE along said road line; the following eight (8) courses:

1. S 40° 15' 40" E, 732.66 feet;
2. S 45° 15' 50" E, 78.78 feet;
3. S 53° 31' 00" E, 158.90 feet;
4. S 33° 42' 40" E, 82.48 feet;
5. S 38° 19' 10" E, 193.07 feet;
6. S 40° 35' 10" E, 377.62 feet;
7. S 38° 46' 10" E, 414.72 feet;
8. Southerly along the arc of a circular curve bearing to the right, having a radius of 50.00 feet, and a length of 95.05 feet; to the POINT or PLACE of BEGINNING.

Containing within said bounds: 154.91 acres

PARCEL B

BEGINNING at a point on the easterly side of West Gate Drive, said point being distant approximately 165 feet (per SCTM) along the easterly side of West Gate Drive from the northerly end of a curve connecting said road line with the northerly side of Promenade Avenue.

RUNNING THENCE along the easterly side of West Gate Drive the following two (2) courses:

1. N 32° 29' 00" E, 522.46 feet;
2. N 68° 30' 30" E, 246.81 feet;

THENCE the following five (5) courses:

1. S 59° 20' 00" E, 638.58 feet;
2. S 01° 21' 20" E, 140.00 feet;
3. N 85° 37' 20" E, 24.47 feet;
4. S 01° 21' 20" E, 180.00 feet;
5. S 38° 56' 30" E, 294.42 feet; to the northerly side of Jericho Turnpike (NYS Route 25);

THENCE along said road line; the following two (2) courses:

1. Westerly along the arc of a circular curve bearing to the right, having a radius of 1,007.07 feet, and a length of 451.31 feet;
2. S 88° 03' 55" W, 119.21 feet;

THENCE the following four (4) courses:

1. N 01° 40' 10" W, 311.19 feet;
2. N 27° 56' 00" W, 22.60 feet;
3. S 89° 51' 40" W, 257.52 feet;
4. N 73° 52' 50" W, 465.81 feet; to the POINT or PLACE of BEGINNING.

Containing within said bounds: 14.62 acres

2011- 534

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING
LOCAL LAW INTRODUCTORY NO. 32 -2011 AMENDING THE CODE OF
THE TOWN OF HUNTINGTON, CHAPTER 164 (SEWER USE MANAGEMENT),
ARTICLE II (DISPOSAL REGULATIONS)

Resolution for Town Board Meeting dated: November 9, 2011

The following resolution was offered by: **COUNCILMAN CUTHBERTSON**

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, it is the intention of the Town Board to update the code with regard to the fees to be charged to outside contractual connections to the Huntington and Centerport Sewer Districts pursuant to §10 of the Municipal Home Rule Law, General Municipal Law, other statutory authority and decisional law; and

WHEREAS, pursuant to §617.5 (c)(20) and (7) of SEQRA, regulations amending the Code of the Town of Huntington are "routine or continuing agency administration and management, not including new programs or major reordering of priorities" and "promulgation of regulations, policies, procedures and legislative decisions in connection with any Type II action", and therefore, this proposal, a Type II action, requires no further action pursuant to SEQRA.

NOW, THEREFORE THE TOWN BOARD

HEREBY SCHEDULES a public hearing to be held on the 13th day of December, 2011 at 7:00 at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 32 -2011 amending the Code of the Town of Huntington, Chapter 164 (Sewer Use Management), Article II (Disposal Regulations); as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON, AS FOLLOWS:

LOCAL LAW INTRODUCTORY NO. 32 -2011
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 164 (SEWER USE MANAGEMENT)
ARTICLE II (DISPOSAL REGULATIONS)

Section 1. Amendment to Chapter 164 (Sewer Use Management), Article II (Disposal Regulations) of the Code of the Town of Huntington; as follows:

CHAPTER 164
(SEWER USE MANAGEMENT)

* * *

ARTICLE II

(DISPOSAL REGULATIONS)

* * *

§164-6.1. Parcels lying in part or in whole outside district boundaries.

* * *

F. Conditions of approval. All approvals by the Board shall be deemed subject to the further approval of the District Superintendent as to the nature, scope and method of connecting to district facilities, and the equipment and materials to be used by the applicant. Town Board approvals shall also be conditioned on the following, whether or not specifically referenced in the resolution of the Board:

* * *

(5) The one-time payment [Payment] of impact fees which shall be calculated and paid as set forth in this chapter, [and an annual user's fee to off-set the cost of processing and treating the wastewater. The user's fee shall be based on the most recent assessed valuation of the property and the latest sewer tax rate, and incorporated as part of the real property tax bill of the owner and collected at the same time and in the same manner as other town levies.]

(6) Payment of an annual user's fee to off-set the cost of processing and treating the wastewater. The user's fee to be included within a contract to use district facilities shall be in addition to any other fee established in this chapter or by the district, or by contract, and shall be incorporated as part of the real property tax bill of the owner and collected at the same time and in the same manner as other town levies. The user's fee to be charged to not-for profits organized and existing pursuant to the New York State Not-For-Profit Corporation Law or §501(c)(3) of the Internal Revenue Code, and all other residential, industrial, and commercial users for each year of the agreement shall be calculated by multiplying the most recent annual assessed valuation of the property by the latest sewer tax rate plus twenty (20%) percent.

(7) [(6)] * * *

(8) [(7)] * * *

* * *

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section, or other part of this local law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair or invalidate the remainder of this local law, and it shall be construed to have been the legislative intent to enact this local law without such unconstitutional or invalid parts therein.

Section 3. Effective Date.

2011-534

This local law shall take effect immediately upon filing in the Office of the Secretary of the State of New York.

ADDITIONS ARE INDICATED BY UNDERLINE

*** INDICATES NO CHANGE TO PRESENT TEXT

DELETIONS ARE INDICATED BY [BRACKETS]

VOTE:

AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DULY ADOPTED

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NUMBER 33 - 2011 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198 (ZONING), ARTICLE IV (COMMERCIAL DISTRICTS), SECTION 198-22 (C-1 OFFICE-RESIDENCE DISTRICT).

Resolution for Town Board Meeting dated: November 9, 2011

The following resolution was offered by: **SUPERVISOR PETRONE**

and seconded by: **COUNCILWOMAN JACKSON**

WHEREAS, there is a discrepancy in the Zoning Code regarding the C-1 Office-Residence District because multiple-family dwellings are not mentioned under the C-1 regulations listed in §198-22, but multiple-family dwellings are listed as a permitted use in the C-1 zone on the Height, Area, and Bulk Chart found in §198-55; and

WHEREAS, there was an obvious intent to include multiple-family dwellings as a permitted use since dimensional regulations were created that are specific to multiple-family dwellings; and

WHEREAS, the Housing chapter of the Horizons 2020 Comprehensive Plan recommends diversification of our housing stock by locating higher-density residential uses in transitional areas between commercial and lower-density residential uses and that hamlet centers are appropriate locations for small-scale high-density residential development where compatible with surrounding properties, and these recommendations relate to the purpose of the C-1 Office-Residence District as stated in §198-22; and

WHEREAS, pursuant to the SEQRA regulations, the scheduling of a public hearing to consider amending the Code of the Town of Huntington is not an action, so no SEQRA review is required at this time;

NOW THEREFORE BE IT

RESOLVED, that the Town Board hereby schedules a public hearing for the **13th** day of **December**, 2011 at **7:00** p.m. at Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory Number 33 - 2011 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article IV (Commercial Districts), Section 198-22 (C-1 Office-Residence District), as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON AS FOLLOWS:

LOCAL LAW INTRODUCTORY NO. 33 -2011
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 198 (ZONING) ARTICLE IV (COMMERCIAL DISTRICTS)

SECTION 198-22 (OFFICE-RESIDENCE DISTRICT)

Section 1. Amendment to Chapter 198 (Zoning), Article IV (Commercial Districts), Section 198-22 (C-1 Office-Residence District) of the Code of the Town of Huntington, as follows:

CHAPTER 198 (ZONING)
ARTICLE IV (COMMERCIAL DISTRICTS)

* * *

§ 198-22. C-1 Office-Residence District.

The regulations set forth in this article or set forth elsewhere in this chapter and applicable to the C-1 Office-Residence District are intended to encourage office development of a high character compatibly mixed with residence uses, principally for areas in which a similar pattern of use has occurred or for areas in which an office-residence pattern is appropriate between high-intensity commercial districts and residential neighborhoods.

A. Use regulations. In the C-1 Office-Residence District, a building or premises shall be used only for the following purposes:

* * *

(7) Multiple-family dwellings.

* * *

Section 2. Severability

If any clause, sentence, paragraph, subdivision, section or other part of this local law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair, or invalidate the remainder of this local law, and it shall be construed to have been the legislative intent to enact this local law without such unconstitutional or invalid parts therein.

Section 3. Effective Date

This Local Law shall take effect immediately upon filing in the Offices of the Secretary of State of New York.

* * * INDICATES NO CHANGE TO PRESENT TEXT
ADDITIONS ARE INDICATED BY UNDERLINE
DELETIONS ARE INDICATED BY [BRACKETS]

2011-535

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

***AMENDED**

2011-536

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NUMBER 34-2011, AMENDING TOWN BOARD RESOLUTION NO. 1994-260 SO AS TO REVOKE ALL OF THE COVENANTS AND RESTRICTIONS PREVIOUSLY RECORDED AS PART OF THE ZONE CHANGE APPLICATION #93-ZM-268 OF WEST NECK ASSOCIATES, LLC, AND REESTABLISHING COVENANTS AND RESTRICTIONS FOR PROPERTY LOCATED ON THE NORTHWEST CORNER OF WEST NECK ROAD AND NATHAN HALE DRIVE, HUNTINGTON, SCTM# 0400-070-01-021.

Resolution for Town Board Meeting dated: November 9, 2011

The following resolution was offered by: **SUPERVISOR PETRONE**

and seconded by: **COUNCILMAN CUTHBERTSON,
COUNCILWOMAN JACKSON**

WHEREAS, the zone change application of West Neck Associates, LLC, #93-ZM-268, was approved by the Town Board on April 5, 1994 subject to the filing of a Declaration of Covenants and Restrictions on the property; and

WHEREAS, the Declaration of Covenants and Restrictions was filed in the Suffolk County Clerk's Office in Liber 11675 Page 825 in accordance with the Town Board Resolution; and

WHEREAS, the property owner would like to develop six (6) residential units on the rear of the property and has petitioned the Town Board to remove one of the covenants that prohibits subdivision of the land and requires that the rear of the property be left as landscaped buffer; and

WHEREAS, pursuant to the SEQRA regulations, the scheduling of a public hearing to consider amending the Code of the Town of Huntington is not an action, so the SEQRA review is not required to be completed at this time;

NOW THEREFORE THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the **13th** day of **December, 2011**, at **7:00 PM** at Huntington Town Hall, New York, to consider adopting Local Law Introductory Number 34-2011, amending Town Board Resolution No. 1994-260 so as to revoke all of the Covenants and Restrictions previously recorded as part of the zone change application #93-ZM-268 of West Neck Associates, LLC, and reestablishing Covenants and Restrictions for property bearing SCTM# 0400-070-01-021 as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON, AS FOLLOWS:

LOCAL LAW INTRODUCTORY NO. 34 -2011
AMENDING TOWN BOARD RESOLUTION NO. 1994-260 SO AS TO REVOKE ALL
OF THE COVENANTS AND RESTRICTIONS PREVIOUSLY RECORDED AS PART
OF THE ZONE CHANGE APPLICATION #93-ZM-268 OF WEST NECK
ASSOCIATES, LLC, AND REESTABLISHING COVENANTS AND RESTRICTIONS

Section 1. Amendment to Town Board Resolution No. 1994-260 deleting all existing
Covenants and Restrictions and reestablishing new Covenants and Restrictions on
SCTM# 0400-070-01-021, as follows:

- (1) All prior Covenants and Restrictions are hereby revoked.
- (2) The existing building shall not be expanded or altered so as to increase gross floor area, and the exterior of the building shall not be altered except in connection with customary building maintenance or if required to provide or improve handicapped access.
- (3) If this property is ever subdivided or the tax map lot altered in any fashion, the property owner shall file revised Covenants and Restrictions subject to the provisions below to ensure that the covenants are properly attributed to the new tax map lot or lots.
- * (4) If the proposed application for six (6) residential apartments is not built within five (5) years, the Covenants and Restrictions revert back to the original Covenants and Restrictions.

These modifications are subject to the filing of revised Covenants and Restrictions as set forth herein. All such Covenants and Restrictions shall be submitted to the Town Attorney by the applicant for approval as to form and substance prior to filing, and upon such approval, to be filed in the Office of the Suffolk County Clerk at the owner or applicant's sole cost and expense. Proof of such filing shall be provided by the applicant to the Town Attorney, Director of Planning, and Huntington Town Clerk.

All such Covenants and Restrictions shall be in addition to such terms and conditions as deemed necessary by the Town Attorney to assure compliance with the Covenants.

Section 2. Severability

If any clause, sentence paragraph, subdivision, section or other part of this Local Law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair, or invalidate the remainder of this local law, and it shall be construed to have been the legislative intent to enact this local law without such unconstitutional or invalid parts therein.

Section 3. Effective Date

This Local Law shall take effect immediately upon filing in the Offices of the Secretary of State of New York.

* * * INDICATES NO CHANGE TO PRESENT TEXT.
ADDITIONS ARE INDICATED BY UNDERLINE.
DELETIONS ARE INDICATED BY [BRACKETS].

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE AMENDED RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

**MOTION TO AMEND RESOLUTION WAS OFFERED BY COUNCILWOMAN BERLAND
AND SECONDED BY SUPERVISOR PETRONE**

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

ENACTMENT: APPROVE THE ISSUANCE OF A SPECIAL USE PERMIT UNDER
CHAPTER 137 (MARINE CONSERVATION)

APPLICANT: EDWARD A.T. CARR ON BEHALF OF
EATON HARBORS CORP.

LOCATION: SOUTH END OF BEACH RD., EATON'S NECK, N.Y. 11768
S.C.T.M. # 0400-005.00-05.00-002.000

Resolution for Board of Trustees Meeting Dated: November 9, 2011

The following resolution was offered by: President Petrone

and seconded by: **TRUSTEE JACKSON**

WHEREAS, pursuant to Chapter 137, the Marine Conservation Law of the Town of
Huntington, an application for a special use permit has been submitted by

Edward A.T. Carr
On behalf of
Eaton Harbors Corp.
P.O. Box 474
Northport, N.Y. 11768

to repair and under-pin the existing "Tidal Sluice Gate" used to maintain water levels in
tidal wetlands area at Eaton Harbors Corp. property located on the west side at the
southern most end of Beach Rd., Eaton's Neck, N.Y. 11768 S.C.T.M. # 0400-005.00-
05.00-002.000; and

WHEREAS, this action is classified as an unlisted action pursuant to the State
Environmental Quality Review Act (SEQRA) and the Town Board has been established
as lead agency for this action; and

WHEREAS, upon review of the Environmental Assessment Form, submitted by the
applicant, and by the SEQRA review prepared by the Town Department of Maritime
Services, it has been determined that no potentially adverse environmental impacts are
posed by the pending action, providing the conditions requested by the Department of
Maritime Services are adhered to.

NOW, THEREFORE

THE BOARD OF TRUSTEES, having held a public hearing on the 11th day of October,
2011 to consider the issuance of a special use permit to Eaton Harbors Corp. to repair and
under-pin the existing "Tidal Sluice Gate" used to maintain water levels in tidal wetlands
area at Eaton Harbors Corp. property located on the west side at the southern most end of
Beach Rd., Eaton's Neck, N.Y. 11768 S.C.T.M. # 0400-005.00-05.00-002.000; and due
deliberation being had;

HEREBY RESOLVES, that based upon the review of the Environmental Assessment Form (EAF), submitted by the applicant, and the SEQRA review prepared by the Town Department of Maritime Services, the issuance of the permit does not pose a significant adverse environmental impact, provided that the conditions requested by the Department of Maritime Services are adhered to, and hereby issues a negative declaration; and

HEREBY APPROVES the issuance of a Special Use Permit under Chapter 137 of the Code of the Town of Huntington, Eaton Harbors Corp. to repair and under-pin the existing "Tidal Sluice Gate" used to maintain water levels in tidal wetlands area at Eaton Harbors Corp. property located on the west side at the southern most end of Beach Rd., Eaton's Neck, N.Y. 11768 S.C.T.M. # 0400-005.00-05.00-002.000 subject to the following conditions:

- 1) Applicant must notify the Dept. of Engineering Services, Dept. Of Maritime Services and the Harbor Masters office 48 hours prior to the commencement of any construction/demolition activities. Notification shall be in writing to each department at 100 Main St., Town Hall, Huntington, N.Y. 11743 and separate facsimile transmissions at (631) 351-3373, (631) 351-3132 and (631) 425-0621
- 2) All work must be completed during periods of low tides to eliminate any potential for turbidity to impact the waterway.
- 3) All site access shall be landward of the seawall for this project.
- 4) No Materials or debris shall be discharged or otherwise permitted in tidal waters, wetlands and/or protected buffer areas.
- 5) Upon the completion of the activity, all construction debris shall be removed from the site and property disposed of at a state approved disposal area.
- 6) Any debris or excess material from construction of this project shall be completely contained on the subject property and shall be removed from the site in a timely manner to an approved upland area for disposal.
- 7) There shall be no disturbance to vegetated wetlands or protected buffer areas as a result of the permitted activities. (Other than such disturbance which is directly associated with the subject activities and permitted by the NYSDEC
- 8) All activities must be conducted in conformance with the New York State-DEC permit # 1-4726-00466/00003. The applicant is responsible for adhering to all necessary local, State and Federal laws.

- 9) All activities must be conducted in conformance with the Town of Huntington approved plans.
- 10) Any deviation from or modification of the approved plans for this project will require additional review and/or additional permitting from the Town of Huntington as well as any other regulatory agencies.
- 11) All backfill material shall consist of clean sand/gravel only. No recycled asphalt or recycled concrete is permitted.
- 12) All construction equipment, vehicles and materials shall access the project site via the applicants own property. No construction equipment, vehicles or material deliveries shall transverse adjacent properties nor access the beach/shoreline via Town of Huntington Park lands.
- 13) All construction equipment, vehicles and materials must be stored/operated upland of any tidal/inter-tidal wetlands areas.
- 14) All required Town of Huntington inspections must be scheduled at appropriated intervals during the course of demolition/construction. (See inspection requirement sheet)

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

President Frank P. Petrone	AYE
Trustee Susan A. Berland	AYE
Trustee Mark A. Cuthbertson	AYE
Trustee Glenda A. Jackson	AYE
Trustee Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER THE ISSUANCE OF A SPECIAL USE PERMIT UNDER CHAPTER 137 (MARINE CONSERVATION)

APPLICANT: DONNA MYERS

LOCATION: 32 HAWKINS DR., NORTHPORT

S.C.T.M. #: 0404-001.00-01.00-012.000

Resolution for Board of Trustees Meeting Dated: November 9, 2011

The following resolution was offered by: **TRUSTEE CUTHBERTSON**

and seconded by: **PRESIDENT PETRONE, TRUSTEE MAYOKA**

WHEREAS, pursuant to Chapter 137, the Marine Conservation Law of the Town of Huntington, an application for a special use permit has been submitted by

Shore Solutions Inc.

On behalf of

Randall & Antoinette Lico

32 Hawkins Dr.

Northport, N.Y. 11768

to replace existing timber (navy style) bulkhead with new vinyl (navy style) bulkhead in-place and six (6) inches higher, replace access platform & steps to shoreline and backfill new structure with up to 160 cubic yards of clean fill at 32 Hawkins Dr., Northport, N.Y. 11768, S.C.T.M. # 0404-001.00-01.00-012.000; and

WHEREAS, the scheduling of a public hearing is not an action as defined by 6 NYCRR §617.2(b) and therefore no further SEQRA review is required at this time for the scheduling said public hearing.

NOW, THEREFORE

THE BOARD OF TRUSTEES

HEREBY SCHEDULES a public hearing for the **13** day of **December**, 2011, at **7:00 pm** at Town Hall, 100 Main Street, Huntington, New York 11743, to consider the issuance of a special use permit to Randall & Antoinette to replace a timber (navy style) bulkhead with new vinyl (navy style) bulkhead in-place and six (6) inches higher, replace access platform & steps to shoreline and backfill new structure with up to 160 cubic yards of clean fill at 32 Hawkins Dr., Northport, N.Y. 11768, S.C.T.M. # 0404-001.00-01.00-012.000

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

President Frank P. Petrone	AYE
Trustee Susan A. Berland	AYE
Trustee Mark A. Cuthbertson	AYE
Trustee Glenda A. Jackson	AYE
Trustee Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-BT26

RESOLUTION SCHEDULING A PUBLIC HEARING TO EXECUTE A LICENSE AGREEMENT FOR THE USE OF TOWN LAND AS IS NECESSARY TO MAINTAIN AND OPERATE A YACHT CLUB WITH DOCK ASSEMBLAGE AT THE PREMISES KNOWN AS THE KETEWOMOKE YACHT CLUB, HALESITE, NEW YORK

Resolution for the Board of Trustee Meeting Dated: November 9, 2011

The following resolution was offered by: **TRUSTEE BERLAND, TRUSTEE MAYOKA**

And seconded by: **PRESIDENT PETRONE, TRUSTEE JACKSON**

WHEREAS, a license agreement for the use of Town land (SCTM #0400-031-01-002.003) is necessary to operate and maintain at the premises known as the Ketewomoke Yacht Club is necessary; and

WHEREAS, the execution of this license agreement is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(20) and (c)(27), and therefore no further SEQRA review is required.

NOW THEREFORE

THE BOARD OF TRUSTEES

HEREBY schedules a public hearing for the 13th day of December, 2011, at 7p.m. at Town Hall, 100 Main Street, Huntington, New York, to consider executing a license agreement for the use of Town land (SCTM #0400-031-01-002.003) as is necessary to operate and maintain a yacht club with dock assemblage at the premises known as the Ketewomoke Yacht Club.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

President Frank P. Petrone	AYE
Trustee Susan A. Berland	AYE
Trustee Mark A. Cuthbertson	AYE
Trustee Glenda A. Jackson	AYE
Trustee Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.